

### **5.03.090 "C" Zone.**

The following uses may be permitted in the "C" Zone upon issuance of a use permit in accordance with the procedures set forth:

- (a) A commercial establishment;
- (b) A single family dwelling or a multiple dwelling up to six units, provided the proposed residential density does not exceed that specified in the Colma General Plan;
- (c) Residential Planned Development on land identified in the Colma General Plan as suitable for residential uses, provided the proposed residential density does not exceed that specified in the Colma General Plan;
- (d) A light industrial establishment;
- (e) Communications structures;
- (f) Commercial center;
- (g) Retail Merchandising Unit; [Ord. 506, 3/12/97]
- (h) Such other uses which, upon a finding of the City Council, are of a similar nature as the above described uses.

[History: formerly § 5.314; ORD. 234, 3/14/79; ORD. 309, 2/13/85; ORD. 425, 7/10/91; ORD. 638, 12/14/05]

### **5.03.100 "DR" Combining Zone.**

The "DR" Design Review zone may be combined with all base zones to achieve a consistent site, landscape and building design theme in those areas where it is applied.

[History: formerly § 5.315; ORD. 500, 10/9/96; ORD. 638, 12/14/05]

### **5.03.110 "P" Zone.**

The following uses are permitted in the "P" Zone:

- (a) Public buildings and parks, and any uses incident thereto.
- (b) Municipal supported senior housing.

[History: formerly § 5.316; ORD. 234, 3/14/79; ORD. 459, 10/13/93; ORD. 638, 12/14/05]

### **5.03.120 "E" Zone.**

(a) The following uses are generally permitted on land located within the "E" Zone:

- (1) A cemetery or memorial park;

(2) Floriculture or agriculture.

(b) The following uses may be permitted by the City Council on land located in the "E" Zone upon issuance of a use permit in accordance with the procedures hereinafter set forth:

(1) Nurseries;

(2) Flower Shops;

(3) Monument Shops;

(4) Medical Service Offices where medical, dental or veterinarian consultation, treatment and/or advice is dispensed on an outpatient basis;

(5) Professional Business Offices where professional or technical business services are offered and/or where the administrative management function of a business is performed and where no external signing is required;

(6) Restaurants; provided that banquet facilities are included capable of accommodating 50 or more persons separated from the principal dining facilities.

(7) Such other uses as the Council finds are of a similar nature to the specified uses.

[History: formerly § 5.317; ORD. 234, 3/14/79; ORD. 321, 7/10/85; ORD. 372, 7/13/88; ORD. 638, 12/14/05]

### **5.03.130 "PD" Zone.**

The following uses are permitted within the "PD" Zone upon issuance of a use permit in accordance with the procedures hereinafter set forth:

- (a) Single family residential developments;
- (b) Multiple housing developments;
- (c) Neighborhood and community commercial centers;
- (d) Professional and administrative offices; or
- (e) A combination of such uses.

This zone may be established to allow flexibility of design, which is in accordance with the objectives and spirit of the General Plan.

[History: formerly § 5.319; ORD. 234, 3/14/79; ORD. 264, 9/17/81; ORD. 638, 12/14/05]

### **5.03.140 Establishment of PD Districts.**

PD Districts may be established in any R or C Zone upon application of a property owner or owners, or upon the initiative of the City Council.

- (4) Only construction methods and practices that will minimize flood damage may be used;
- (5) Each building or structure must be designed or anchored to prevent the flotation, collapse or lateral movement of the structure or portions of the structure due to flooding;
- (6) In regard to mobile homes:
  - (i) Over-the-top ties must be provided at each of the four corners of the mobile home with two (2) additional ties per side at the intermediate locations, and mobile homes less than fifty (50) feet long requiring one (1) additional tie per side;
  - (ii) Frame ties must be provided at each corner of the home with five (5) additional ties per side at intermediate points, and mobile homes less than fifty (50) feet long requiring four (4) additional ties per side;
  - (iii) All components of the anchoring system must be capable of carrying a force of 4,800 pounds;
  - (iv) Any additions to mobile homes must be similarly anchored.

(b) The term "100-year flood elevation" means the elevation which is determined by the City Engineer to have a one per cent chance of flooding in any given year.

[History: formerly § 5.335; ORD. 290, 08/10/83; ORD. 638, 12/14/05]

### **5.03.330 Restrictions Applicable to "E" Zone.**

(a) All uses in the "E" Zone shall be subject to the following requirements:

- (1) Area: Each lot shall have a minimum average width of 33-1/3 feet and a depth not less than 100 feet.
- (2) Setbacks: The front yard shall have a depth of not less than five (5) feet from property line to the front line of any building except that any yard facing El Camino Real shall be thirty (30) feet; the side yards shall not be less than five (5) feet wide; the rear yard shall not be less than five (5) feet deep.
- (3) Site Coverage: Not more than fifty (50%) per cent of any building site shall be covered by buildings.
- (4) Parking: There shall be maintained on each building site facilities for parking, loading, and unloading; provided, however, that off-street parking shall in no event be less than the following standards:
  - (i) Retail Stores: one (1) parking space for each one hundred (100) square feet of sales floor area, but in no case less than one (1) space for each two hundred (200) square feet of gross floor area;

- (ii) Professional Business and Medical Service Offices: one (1) parking space for each three hundred (300) square feet of gross floor area;
- (iii) Restaurants: One (1) parking space for each four (4) seats for seating other than private banquet facilities; and with respect to private banquet facilities such additional parking as may be appropriate considering the size of the facility, the reasonably anticipated utilization of the banquet facility, and the availability of adjacent parking; provided, however, that the amount of parking required for banquet facilities shall be no greater than one (1) parking space for each four (4) seats.
- (iv) All other uses: minimum of one (1) space for each five (5) regular employees but, in any case, not less than one (1) space for each two thousand (2,000) square feet of gross floor area, or fraction thereof.
- (5) Height: The maximum height of any building shall be thirty-six (36) feet.
- (6) Design: The design of any building shall be subject to approval by the City Council who shall consider the height, design and use of such building in relation to the height, design and use of buildings in the surrounding area.
- (7) Landscaping: Within the required setback area from El Camino Real there shall be maintained only paved walks, paved walks, paved driveways, lawns and landscaping. The landscaping shall be consistent with landscaping in the surrounding area, and shall screen parking areas from passerby on the adjacent street. The City Council may require, as a condition of any Use Permit, that all or a portion of the setback area be maintained as lawns or landscaping.
- (8) Parking shall be placed behind buildings or well screened by landscaping.
- (9) Any roll-up doors and loading areas shall be located so as not to face public roads.

[History: formerly § 5.335.1; ORD. 321, 7/10/85; ORD. 372, 7/13/88; ORD. 638, 12/14/05]

#### **5.03.340 Restrictions Applicable to "T" Zone.**

(a) No person may erect, construct, enlarge or improve any public or private transit building or transit structure in the "T" Zone, or permit the same to be done, unless such building or structure is underground and covered with soil so as to make its location indistinguishable from adjacent terrain.

(b) Notwithstanding the foregoing, nothing herein contained shall limit the establishment and maintenance of landscaping, fences, roads, surface parking facilities, or similar improvements in said zone.

(c) Notwithstanding the foregoing, the portion of a parcel containing a "T" zone shall be included in determining land to building ratios, set-backs, minimum lot size, and similar zoning requirements.

(d) Buildings and structures may be developed in the "T" Zone, subject to a Use Permit, provided the building or structure is supported on a foundation system that will not prevent the development of covered, underground public or private transit facilities at that location.

[History: formerly § 5.335.2; ORD. 374, 09/14/88; ORD. 460, 11/10/93; ORD. 638, 12/14/05]

### **5.03.350 Restrictions Applicable to All Zones.**

(a) There shall not be permitted any use which may be determined by the City Council to be obnoxious or offensive because of the presence or emission of odor, fumes, dust, gas, smoke, noise, bright lights, vibrations, pollution, detrimental sewer wastes, or have a detrimental effect on permissible adjacent uses, or will be hazardous by reason of danger of fire or explosion.

(b) In each zone there shall be provided at the time of the erection of any main building or at the time any main building is enlarged or increased in capacity, sufficient off-street parking accommodations with adequate provisions for ingress and egress by standard size automobiles. Parking access-ways, parking spaces and fire lanes shall all meet the minimum standards provided in Section 5.01.080 (Definitions) above.

(c) The following uses are prohibited in all districts: amusement parks or centers, circuses, carnivals, outdoor theaters, race tracks, commercial recreation centers, stockyards, the slaughtering of animals, and medical marijuana dispensaries.

(d) Definition of "self-storage mini-warehouse": a structure containing more than five (5) individually locked rooms or compartments, each of which rooms or compartments are available for rent to the general public on a daily, weekly, monthly or other periodic basis for the purpose of storing chattel or personal property, where the property stored in the rooms or compartments is loaded and removed by the renter of the compartment, rather than by the owner of the self-storage mini-warehouse or his agent. "Self-storage mini-warehouse" does not include storage space made available on a rental basis to renters of apartments or owners of condominiums on the premises which contains the condominium or apartment building.

(e) No person shall install, construct or maintain a fence or hedge on any property in the Town of Colma except in compliance with the following:

(1) General fence and hedge limitations:

(i) If cyclone fencing is used, it must be black vinyl clad with black painted posts and supports.

(ii) Fences shall be maintained in good repair and condition.

(iii) Hedge height limits in this section do not apply to taller landscaping planted immediately adjacent to building walls. Free standing trees are encouraged in all yard areas.

(iv) Fences with razor wire are not permitted in the Town of Colma.

- (v) For corner lots, a vision triangle of 35' shall be maintained to insure safe visibility for motorists. The vision triangle shall be created by measuring along the curb line 35' in each direction from the street corner, with the endpoints connected across the lot. Within the vision triangle, no fencing or vegetation shall exceed three (3) feet in height and all tree canopies must be kept seven (7) or more feet above grade.
- (vi) Any unimproved right-of-way (the area between the back of sidewalk and the front property line of any property) may contain landscape planting, irrigation and fencing.
- (vii) The height of a fence shall be measured as the higher of the two sides of the fence.

(2) Fence and hedge limitations in all Residential Zones:

- (i) No fence or hedge in excess of four (4) feet in height is allowed between the back of the sidewalk and front wall of any residence. An exception is permitted for a single, freestanding trellis structure not exceeding eight (8) feet in height, five (5) feet in width, and five (5) feet in depth. An exception may be granted by the City Planner through the Design Review Process if required for security, pedestrian safety, to screen out undesirable views, or for other aesthetic reasons.
- (ii) No fence or hedge in excess of six (6) feet in height is allowed from the front face of the residence to the rear property line. An exception may be granted by the City Planner through the Design Review Process if required for security, pedestrian safety, to screen out undesirable views, or for other aesthetic reasons.
- (iii) No barbed wire shall be permitted in a residential zone.

(3) Fence and hedge limitations for Non-Residential Zones:

- (i) No fence or hedge in excess of four (4) feet in height is allowed between the back of the sidewalk and a parallel line set back thirty (30) feet from the front property line. An exception may be granted by the City Planner through the Design Review Process if required for security, pedestrian safety, to screen out undesirable views, or for other aesthetic reasons.
- (ii) No fence or hedge in excess of eight (8) feet in height is allowed from the thirty (30) foot setback line to the rear of the property. An exception may be granted by the City Planner through the Design Review Process if required for security, pedestrian safety, to screen out undesirable views, or for other aesthetic reasons.
- (iii) No barbed wire shall be permitted in front of the thirty (30) foot setback line. An exception may be granted by the City Planner through the Design Review Process if required for security.

- (4) Prior constructing or installing a fence in excess of six feet in height, retaining wall exceeding two (2) feet in height, masonry wall, or any improvement located in the public right-of-way, owners and occupants should consult with the Building Official or City Engineer to determine if a building permit and/or encroachment permit is needed.

[History: formerly § 5.336, ORD. 234, 03/14/79; ORD. 313, 02/13/85; ORD. 550, 4/14/1999; ORD. 638, 12/14/05, ORD 662, 9/12/07]

### **5.03.360 Restrictions and Landscaping Along El Camino Real.**

(a) No building shall be located less than thirty (30) feet from any portion of El Camino Real to any portion of the building.

(b) Within the required setback from El Camino Real there shall be maintained only paved walks, paved driveways, lawns and landscaping. The landscaping shall be consistent with landscaping in the surrounding areas, and shall screen parking areas from passersby on El Camino Real. The City Council may, as a condition of any Use Permit, require a landscaping plan for the area within the required setback.

(c) The restrictions apply to property adjacent to El Camino Real the entire length of said street from the northern boundary of Colma to the Mission Road junction.

[N.B. Section 2 of Ordinance No. 270 (effective 7/9/82) provided as follows: "The requirements of this section shall not be construed to require the removal or other changes or alteration of any structure not conforming thereto as of the effective date hereof or otherwise interfere with the continuance of any non-conforming use; but shall apply to any replacement, addition, or substantial alteration of any such non-conforming structure."]

[History: formerly § 5.336.1; ORD. 270, 6/09/82; ORD. 638, 12/14/05]

### **5.03.370 Restrictions Applicable to Mobile Homes, Recreational Vehicles and Commercial Coaches.**

Mobile homes, recreational vehicles and commercial coaches as defined in the Health and Safety Code of the State of California shall not be occupied in the Town of Colma except as follows:

(a) For temporary use as a field office or a business office during construction, alteration or repair of a project in the Town of Colma, provided that such use shall cease when the Certificate of Occupancy for such project is issued;

(b) For use as an office in connection with a commercial use, and pursuant to a conditional use permit issued by the City Council under section 18300.1 of the Health and Safety Code of the State of California; or