

CHAPTER FIVE: PLANNING, ZONING, USE, AND DEVELOPMENT OF LAND AND IMPROVEMENTS

Subchapter 5.03: Zoning

5.03.010 Title.

This subchapter shall be known as the "Zoning Ordinance" of the Town of Colma.

[History: formerly § 5.301; ORD. 234, 3/14/79; ORD. 638, 12/14/05]

5.03.020 Purpose.

There is hereby adopted a zoning or districting plan for the Town of Colma. This plan is adopted to promote and protect the public health, safety, peace, morals, comfort and general welfare. It consists of the establishment of various zones, including therein all the territory within the boundaries of said city, within some of which zones it shall be lawful and within some of which zones it shall be unlawful to construct, reconstruct, alter, enlarge, move, or maintain certain buildings or to use certain lands or buildings, and it further consists of appropriate regulations to be enforced in such zones, all as set forth in this ordinance.

[History: formerly § 5.302; ORD. 234, 3/14/79; ORD. 638, 12/14/05]

5.03.030 General Prohibition.

No person may use, design, or intend to be used, any building or land in the city, except for the purposes specified in, and in compliance with, the provisions of this subchapter.

[History: formerly § 5.303; ORD. 234, 3/14/79; ORD. 638, 12/14/05]

5.03.040 Zones and Boundaries Thereof.

(a) The following land use zones shall be established in the City:

- G - Memorial Park, Agricultural and Recreational
- R - Residential
- R-S - Neighborhood Residential [Ord. 536, 7/8/98]
- C - Commercial
- P - Public
- E - Executive, Administrative
- T - Transit

(b) The following safety zone shall be established in the City: F.

Such zone shall be in addition to and lay over the land use zones as set forth in subsection (a) above. All real property in the Town of Colma lying within 50 feet of either edge of the Colma Creek, and all other real property determined by the City Engineer to be subject to a one per cent chance of flooding in any given year, shall be in the F zone.

(c) The following transit zone shall be established in the City: T.

Such zone shall be in addition to and lay over the land use zones as set forth in subparagraph (a) above. All real property in the Town of Colma lying within the 60-foot right-of-way owned, or formerly owned, by Southern Pacific Company shall be in the T zone.

(d) The following design review zone shall be established in the City: DR.

Such zone shall be in addition to and lay over the land use zones set forth in subparagraph (a), above. All real property from the junction of Mission Road and El Camino Real on the south to the junction of F Street and El Camino Real on the north, and from Junipero Serra Boulevard on the west to the City limits on the east, plus all property fronting on Mission Road, shall be in the DR zone.

(e) The zones aforesaid and the boundaries of such zones are shown upon a map filed with the City Clerk and designated "General Plan Land Use, Town of Colma, April 2008 Zoning Map". Said map and all notations, references and other information shown thereon shall be and hereby is incorporated by reference in this ordinance as if fully set forth herein.

[History: formerly § 5.310, ORD. 234, 3/14/79; ORD. 290, 8/10/83; ORD. 321, 7/10/85; ORD. 374, 9/14/88; ORD. 409, 3/14/90; ORD. 536, 7/8/1998; ORD. 557, 8/18/1999; ORD. 573, 4/12/00, ORD. 588, 8/15/2001; ORD 609, 12/10/03; ORD. 610, 1/14/04; ORD. 627, 4/13/05; ORD. 638, 12/14/05; ORD. 668, 5/14/08]

5.03.050 Zone Boundaries.

Where uncertainty exists as to the boundaries of any zone shown on said "Zone Map", the following rules shall apply:

(a) Where such boundary is indicated as approximately following a street or alley line, such street or alley line shall be deemed to be such boundary.

(b) Where such boundary is indicated as approximately following a lot line, such lot shall be deemed to be such boundary.

(c) Where uncertainty exists, the City Council shall, by written declaration, determine the location of the zone boundary.

[History: formerly § 5.311; ORD. 234, 3/14/79; ORD. 638, 12/14/05]

5.03.060 "G" Zone.

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

(1) A cemetery or memorial park;

- (1) City Council Approval. Whenever the project requires approval of a Use Permit, Subdivision Map, Planned Unit Development, or other action by the City Council, then the City Council shall also, at that time, make the determination to approve the design in accordance with this ordinance. Determinations made by the City Council may be reconsidered in accordance with the procedure set forth at Section 5.03.420.
- (2) Appeal. A determination by the City Planner with respect to the Colma Design Review Ordinance may be appealed by any interested party to the City Council in accordance with the procedures set forth in section 1.02.140 of the Colma Municipal Code.
- (3) Approval Criteria. In considering the approval of a design the City Council or City Planner, as appropriate, shall make the following findings:
 - (i) That the architectural, site and landscape design of the proposed project incorporates design elements adopted for the DR zone.
 - (ii) That the architectural, site and landscape design substantially reflects the intent of the DR zone to achieve a consistent site, landscape and building design theme for the Town of Colma.
- (4) Design Review fees shall be established from time to time by the City Council of the Town of Colma by resolution. [Ord. 524, 1/14/1998]

[History: formerly § 5.333, ORD, 467, 6/8/94; ORD. 500, 10/9/96; ORD. 521, 12/10/97; ORD. 524, 1/14/98; Ord. 551, 4/14/1999; ORD. 638, 12/14/05]

5.03.310 Restrictions Applicable to "P" Zone.

There shall be no restrictions on buildings or use within the "P" Zone, except that it is the policy of the City that any use in the "P" Zone shall be consistent with the other uses in the City.

[History: formerly § 5.334; ORD. 234, 3/14/79; ORD. 638, 12/14/05]

5.03.320 Restriction Applicable to "F" Zone.

(a) No person may erect, construct, enlarge or improve any building or structure in the "F" Zone, or permit the same to be done, unless the building or structure complies with each of the following requirements:

- (1) The first-floor elevation (to include basement) of any new residential structures shall be elevated to or above the 100-year flood elevation;
- (2) The first-floor elevation (to include basement) of non-residential structures shall be elevated to or above the 100-year flood elevation;
- (3) Only construction materials and utility equipment that are resistant to flood damage may be used at or below the 100 year flood elevation;

- (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;