

(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.

[History: formerly § 5.320; ORD. 264, 9/17/81; ORD. 638, 12/14/05]

5.03.150 Conceptual Development Plan Required.

(a) An application for the establishment of a PD District shall be accompanied by a Conceptual Development Plan which, if approved by the City Council, shall become a part of the Zoning Map of the Town of Colma.

(b) Said Conceptual Development Plan shall show the following information, presented in a schematic form and at a scale satisfactory to the City Planner, with a reduced reproducible print of the proposed drawing suitable for publication purposes:

- (1) Proposed land uses;
- (2) Location of buildings, structures and building groups;
- (3) A tabulation of proposed dwelling unit density in residential areas;
- (4) A tabulation of floor area ratios and the maximum heights of proposed buildings;
- (5) Proposed circulation systems, including preliminary street cross sections;
- (6) Proposed parks, playgrounds, school sites and other open spaces;
- (7) Location and type of existing and proposed landscaping;
- (8) An economic feasibility analysis of proposed commercial uses;
- (9) Delineation of the major units within the development to be constructed in progression;
- (10) Relation to future land use in surrounding area as proposed in the General Plan;
- (11) Proposed off-street parking;
- (12) Proposed storm drainage facilities.

(c) The City Council may require such other information which, combined with the information submitted, shall be for the purpose of ascertaining substantial conformity with the adopted General Plan. The City Council shall make the following findings prior to approval of the Conceptual Development Plan:

- (1) That the proposed uses are, in substantial part, generally or conditionally permitted under the zoning classification for the proposed district in existence at the time of the application;
- (2) That the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts;

- (3) That the streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic and the density will not generate traffic in such amounts as to overload the street network outside the PD District.
- (4) That any proposed development can be economically justified at the locations proposed;
- (5) That the impact created by the development can be absorbed and serviced by the City (police and fire service, water supply, sewage disposal, etc.).

(d) The City Planner may require the submittal of a topographic model of the proposed district to an accurate scale. Both horizontal and vertical scales shall be the same. The scale and detail of the model shall be sufficient to accurately illustrate the appearance of the total final development. The City Planner shall approve the scale of the model in writing prior to its construction. The following proposed items shall be included on the model:

- (1) Final topography of the district after grading;
- (2) Street system;
- (3) Location and bulk of buildings and structures;
- (4) Lot design;
- (5) Parks, playgrounds, school sites and other open spaces;
- (6) Parking and loading areas;
- (7) Location of existing and proposed major landscaping.

(e) An application for establishment of a PD District shall be accompanied by a fee, which shall be established from time to time by the City Council of the Town of Colma by resolution, for each proposed dwelling unit and each proposed commercial establishment shown in the Conceptual Development Plan. Said fee shall be in lieu of the fees prescribed in this Code for an amendment to the zoning map, for a variance, and for a use permit.

[History: formerly § 5.321, ORD. 264, 9/17/81; ORD. 524 1/14/1998; ORD. 638, 12/14/05]

5.03.160 Conditional Uses.

A Use Permit shall be required for any and all uses in a PD District. A Detailed Development Plan, as described in 5.03.170, shall be submitted as part of the application for a Use Permit. The Council shall not grant a Use Permit for any use or uses in a PD District unless it finds that:

- (a) Each of the standards set forth in section 5.03.410 have been met;
- (b) The use or uses as shown on the Detailed Development Plan are the same as the use or uses shown on the approved Conceptual Development Plan.

[History: formerly § 5.322; ORD. 264, 9/17/81; ORD. 638, 12/14/05]

5.03.170 Detailed Development Plan Required.

(a) An application for a Use Permit in a PD District shall include and be accompanied by a Detailed Development Plan which, if approved by the City Council, shall become a part of the Use Permit. The Detailed Development Plan shall contain certifications that a Design Professional or group of Design Professionals have participated in its preparation. Design Professional means a civil engineer, landscape architect, architect, registered building designer, or city planner who is a member of the American Institute of Certified Planners. Compliance with the requirements of this section shall not be construed as relieving the applicant from compliance with the Subdivision Ordinance or other applicable ordinances of the Town of Colma.

(b) The Detailed Development Plan shall include:

- (1) A map showing any street system and lot design proposed within the District, and any areas proposed to be dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings, and other such uses;
- (2) A map showing the existing topography and the proposed finished grading of the District at one-foot contour intervals on areas of a cross slope of less than 5 per cent; at two-foot contour intervals on areas of a 5 to 10 per cent cross slope; at five-foot contour intervals on areas exceed 10 per cent cross slope. (For the purpose of this section, the cross slope of an area is defined to be the ratio expressed as a percentage of the vertical difference in elevation to the horizontal distance between any two points, with the line connecting the two points being essentially perpendicular to the contours between the two points. The City Council shall have the authority to determine the cross slope of an area and shall also have the authority to designate different portions of the District as having different cross slopes.);
- (3) A plot plan for each building site or sites in the proposed PD District, the location of all proposed buildings, with a statement of the maximum and minimum distances between buildings and the property or building site lines;
- (4) A detailed tabulation of the resultant densities of persons, dwelling units, floor area ratios and height or structures;
- (5) Off-street parking and loading plan;
- (6) A circulation diagram indicating the proposed movement of vehicles, goods and pedestrians within the PD District, and to and from adjacent public thoroughfares, and any special engineering features and traffic regulation devices needed to facilitate or insure the safety of the circulation pattern;
- (7) Landscaping and tree planting plan showing the approximate location and type of plant materials to be installed;
- (8) Detailed engineering site plans, including proposed finished grades and all public improvements;

- (9) Detailed engineering plans for the provisions of public utilities for the site, including provisions for off-site connections and facilities necessary to serve the site;
- (10) Elevations and perspective drawings of all proposed structures. (Such drawings need not be the result of the final architectural decisions and need not be in detail. The purpose of such drawings is to indicate within stated limits the height of the proposed buildings and the general appearance of the proposed structures, to the end that the entire development will have architectural unity and be in harmony with surrounding developments);
- (11) A written statement describing the disposition of recreation and open space areas, including proposals for ownership, development and maintenance of such spaces;
- (12) Detailed engineering plans for the provisions of storm drainage facilities.

[History: formerly § 5.323; ORD. 264, 9/17/81; ORD. 638, 12/14/05]

5.03.180 Design Standards.

The following design standards shall be established as shown on the Detailed Development Plan for the particular PD District as approved by the City Council. Said design standards shall become a part of the Use Permit:

- (a) Minimum building site;
- (b) Minimum lot dimensions;
- (c) Maximum building site coverage by buildings and structures;
- (d) Minimum yards;
- (e) Maximum building or structure heights;
- (f) Maximum height of fences and walls;
- (g) Signs;
- (h) Off-street parking.

[History: formerly § 5.324; ORD. 264, 09/17/81; ORD. 638, 12/14/05]

5.03.190 Open Space and Density.

Open space and density shall be as shown on the Detailed Development Plan for the particular PD District as approved by the City Council.

[History: formerly § 5.325; ORD. 264, 9/17/81; ORD. 638, 12/14/05]

5.03.200 Amendment of Development Plan.

(a) Changes in the Conceptual Development Plan shall be considered the same as changes in the Zoning Map and shall be made in accordance with the procedures set forth in section 5.03.480 of this Code.

(b) Changes in the Detailed Development Plan shall be considered the same as changes to the Use Permit and shall be made in accordance with the procedures set forth in section 5.03.400 of this Code.

[History: formerly § 5.326; ORD. 264, 9/17/81; ORD. 638, 12/14/05]

5.03.210 Development Schedule.

An application for a Use Permit in a PD District shall be accompanied by a development schedule indicating to the best of the applicant's knowledge the approximate date on which construction of all facets of the entire project can be expected to begin, the anticipated rate of development, and completion date. The development schedule, if approved by the City Council, shall become a part of the Detailed Development Plan and shall be adhered to by the owner of the property in the PD District, and his successors in interest.

[History: formerly § 5.327; ORD. 264, 9/17/81; ORD. 638, 12/14/05]

5.03.220 Revocation of Use Permit.

If, in the opinion of the City Council, the owner or owners of property in a PD District are failing or have failed to meet an approved development schedule, the City Council may initiate proceedings under section 5.03.430 of this Code to revoke the applicant's Use Permit until such time as the applicant conforms to the conditions thereof. For good cause shown by the property owner, in writing, prior to the expiration of the original development schedule, the City Council may extend the limits imposed by the development schedule in accordance with section 5.03.420 of this ordinance.

[History: formerly § 5.328; ORD. 264, 9/17/81; ORD. 638, 12/14/05]

5.03.230 Minor, Short-term, and Temporary Uses.

(a) No person shall operate a minor, short-term or temporary use in any zoning district without first obtaining a Use Permit therefore, which may be granted administratively in accordance with this Code.

(b) Any proposed minor, short-term or temporary use shall meet the following criteria and standards:

- (1) The proposed activity will not pose any significant land use consequences;
- (2) The proposed activity has direct access from a major or secondary thoroughfare;
- (3) Provision has been made to minimize noise and dust from the activity;

(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