

ORDINANCE NO. 570

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUSA ADDING APPENDIX A – ARTICLE 50 – HOME OCCUPATION PERMITS TO THE COLUSA MUNICIPAL CODE AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, this Ordinance adds Appendix A – Article 50 to the Colusa Municipal Code to allow ministerial review of home occupation permits; and

WHEREAS, the attached Ordinance advances the economic interest, diversity and base for the city while also ensuring neighborhood compatibility through a series of regulations and standards; and

WHEREAS, this Ordinance has been found to be exempt from the California Environmental Quality Act (CEQA) pursuant to sections 15060(c)(2) and 15061(b)(3), which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. As a Municipal Code text amendment, it can be seen with certainty that the proposed action may not result in a significant effect on the environment, and the proposed revisions to the Municipal Code are exempt from further review under CEQA; and

WHEREAS, On October 1, 2025 the Planning Commission conducted a duly notice public hearing to consider the staff report, staff recommendation, and public testimony concerning the ordinance. Following the public hearing, the Planning Commission voted to recommend forwarding the ordinance to the City Council with a recommendation in favor of its adoption; and

BE IT ORDAINED by the Council of the City of Colusa find that:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The City Council finds that this ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15060(c)(2) and 15061(b)(3) because it will not result in a direct or reasonably foreseeable physical change in the environment; and the activities is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

Section 3. In accordance with the State of California Government Code commencing with section 65800, the City of Colusa City Council finds that:

1. General Plan: The ordinance amendments to the Colusa Municipal Code (CMC) are consistent with the General Plan and are found to be consistent with and advances economic related policies for the City of Colusa as outlined in the Land Use (LU-8, LU-10, LU-10-1) and Community Character (CCD-1 and CCD-4.2) Elements portions of the General Plan.

2. Health, Safety, and Welfare; Illogical Land Use Pattern Adoption of this ordinance will not adversely affect the public health, safety and welfare as it updates the Colusa Municipal Code to allow ministerial review of home occupation permits that sets up standards and regulations. This ordinance will not result in an illogical land use pattern as it is not amending the City's zoning map.
3. Consistency with Appendix A. This ordinance is consistent with the purpose and intent of the Colusa Municipal Code as it does not alter or revise the type of intensity of allowed uses in the residential zoning districts and ensures that the provisions thereof are consistent with the City's General Plan.

Section 4 Code Amendment. Article 50 is hereby added in its entirety to Appendix A – Zoning of the Colusa Municipal Code to read as follows:

ARTICLE 50 Home Occupation Permits

50.01 Purpose.

The following provisions are intended to permit limited business activities in a manner that maintains the character and integrity of residential neighborhoods, ensures compatibility with surrounding uses, and provides a path for legal operations of home-based businesses.

50.02 Applicability.

(a) Home Occupation Permit Required. A home occupation permit shall be obtained prior to the establishment or operation of any of the activities listed in Section 50.04 (Allowable Home Occupations) and are subject to approval by the Fire Authority and must comply with all applicable requirements of the current California Fire Code.

The activities regulated by this chapter shall not include those that solely involve the use of a desk, personal computer, and/or telephone, which are considered permitted uses in all residential zoning districts.

(b) Business License Required. In addition to securing a home occupation permit from the Planning Director, a business license shall be obtained and posted, in compliance with Chapter 10 (Licenses) of the Municipal Code. A statement of compliance with the operating standards contained in Section 50.08 (Operating Standards) shall be signed prior to issuance of the business license.

50.03 Definitions

'Home Occupation' means a business or commercial activity conducted entirely within a residential dwelling or accessory structure by one or more occupants of the home, which is incidental to the primary residential use and meets the standards set forth in this Chapter.

50.04 Allowable home occupations.

Allowable home occupations shall include the following activities:

- (a) On-site tutoring, teaching, art, music, dance, and similar lessons, provided no more than one student or client is being served at a time;

- (b) Hairdresser or barber, provided no more than one client is being served at a time
- (c) Crafts and hobby uses, such as (but not limited to) photography, artwork, and home crafts;
- (d) Cottage Food Operation (Class A or B) as defined by Section 113758 of the California Health and Safety Code
- (e) Any other use of the same general character as those listed above.

50.05 Specifically, in-eligible business types

- (a) Automobile and mechanical work including small engine repair or sales;
- (b) Restaurant, tavern, wine-tasting or similar uses;
- (c) Clubs, gyms or membership organizations;
- (d) Animal harboring, boarding, training or veterinary services and raising dogs, cats, birds or other animals;
- (e) Small and Large family day care; (see Daycare Regulations)
- (f) Any use that generates excessive traffic, noise, odor, or visual impacts.

50.06 Application filing, initial processing

An application for a home occupation permit shall include all information specified in the Department handout for home occupation permits. A completed Home Occupancy Permit form, affirming compliance with all applicable requirements (including limits on signage, traffic, parking, noise, and use of space), must be submitted to the City before home-based business operations commence.

50.07 Action by the Planning Director.

The Planning Director shall review and act upon a home occupation permit application after all required information has been submitted. Since the permit is nondiscretionary, no formal public notice is required. In reviewing the application, the Planning Director shall determine if the proposal is in compliance with the standards and criteria listed in Section 50.08 (Operating standards).

Other and additional business types may be permitted pursuant to the specific zoning designation.

50.08 Operating standards.

Home occupations shall comply with all of the following operating standards:

- (a) The location of the home occupation is the principal residence of the applicant and is clearly incidental and secondary to the use of the property for residential purposes;
- (b) No major structural changes are proposed which would significantly alter the character of the residence, or change its occupancy classification, in compliance with the Uniform Building Code;

- (c) The proposed home occupation shall not create levels of new glare and light inconsistent with existing amounts of glare and light within the surrounding neighborhood;
- (d) The proposed home occupation shall not adversely increase noise levels beyond permissible residential noise levels within the surrounding neighborhood;
- (e) The proposed home occupation shall not generate electrical interference, dust, heat, odor, solid waste, vibration, or other characteristics in excess of those customarily associated with similar residential uses in the surrounding neighborhood;
- (f) Employment shall be limited to persons residing on the premises and up to one additional employee;
- (g) Is confined completely within a legal structure and occupies not more than twenty-five percent of the floor space of a dwelling or fifty percent of that of an accessory building, whichever is less;
- (h) No equipment, materials, or products associated with the use shall be stored or displayed where visible from off the premises;
- (i) The proposed home occupation shall not involve the storage or use of explosive, flammable, or toxic materials, specifically defined as hazardous materials;
- (j) Any proposed home occupation affording access by use of a private road easement shall be conducted in a manner that shall not overburden the vehicular use of the private road easement;
- (k) The home occupation activity shall not generate more than 10 additional pedestrian or vehicular trips in excess of that customarily associated with the zoning district in which it is located, and no more than 2 deliveries each day. Any traffic generated by the home occupation shall be consistent with the existing traffic levels and patterns of the surrounding residential neighborhood;
- (l) No customers or clients shall be allowed to patronize the home occupation business between the hours of 10:00 p.m. and 6:00 a.m.
- (m) One service or company vehicle associated with the home occupation can be stored on the premises;
- (n) Any home occupation that was existing, open, and operating within the City as of December 31, 2025, must file an application with the City for a Home Occupancy Permit; and
- (o) The Home Occupancy Permit constitutes a revocable privilege, which shall be subject to suspension or revocation if the terms and conditions are not maintained.

50.09 Revocation and Enforcement

Permits may be revoked if the home occupation violates any part of this Chapter or creates a nuisance. The Planning Director may require discontinuation, modification, or conditional use review as needed.

50.10 Amendments to Permits Changes to a home occupation permit.

Changes in use, business expansion, or changes of ownership shall require re-evaluation by the Planning Department. Minor modifications may be approved administratively.

Section 5. This ordinance shall become effective 30 days following the date of its adoption.

THE FOREGOING ORDINANCE was adopted by the City Council of the City of Colusa at its meeting held on November 18, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

RYAN CODORNIZ, MAYOR

ATTEST:

Shelly Kittle, City Clerk