



City of Colusa California

STAFF REPORT

DATE: November 4, 2025

TO: City Council – Public Hearing to Amend the Colusa Municipal Code to create a Sidewalk Vending Regulations - Ordinance

FROM: Jake Morley, Planning Consultant

AGENDA ITEM: City Council to hold a public hearing and introduce and conduct the first reading by title only, Ordinance entitled “An Ordinance of the City Council of the City of Colusa adding Appendix A – Chapter 12-17 – Sidewalk Vending to the Colusa Municipal Code and finding the Ordinance Exempt from the California Environmental Quality Act”

Recommendation: The Planning Commission and Staff recommend that the City Council hold a public hearing on the proposed Ordinance amendment (**Attachment 1**) and introduce the Ordinance by reading its title only:

Ordinance of the City Council of the City of Colusa adding amendments to Appendix A – Chapter 12-17 – Sidewalk Vending to the Colusa Municipal Code

BACKGROUND AND ANALYSIS:

In 2018 California Senate Bill 946 (SB 946) sought to encourage sidewalk vending across the state, in part by decriminalizing sidewalk vending and limiting local authorities to administrative citations as enforcement tools. In 2022, California Senate Bill 972 (SB 972) encouraged permitting for sidewalk vendors and further limited local authorities' ability to penalize sidewalk vending.

The state found that such vendors provide important entrepreneurship and economic development opportunities for low income and immigrant communities, while increasing desired goods, culturally significant foods and merchandise while contributing to a safe and dynamic public space. State laws distinguish between roaming sidewalk vendors (i.e.: push carts, pedal-drive cart, wagon or non-motorized) and stationary sidewalk vendors (i.e.: stands, rack or display).

The City of Colusa Municipal Code (CMC) is currently silent on sidewalk vending, while community discussion has been ongoing and vendors continue to sell products and food without the benefit of standards or license requirements.

Summary of SB 946 and SB 972

- Cannot require sidewalk vendors to operate within specific parts of the public right-of-way unless the restriction is related to objective health, safety or welfare concerns.
- Cannot prohibit sidewalk roaming vendors from selling in local parks but can limit stationary vendors if local agencies have a contract with a concession operator within the park.
- Cannot restrict sidewalk vendors to operate in designated neighborhoods or areas unless directly related to objective health, safety or welfare concerns.
- Cannot use “economic competition” (i.e.: brick and mortar stores) as a basis for limiting sidewalk vending.
- Cottage food operations can support vending operations.
- For enforcement, the City is limited to the administrative citations of specific amounts are mentioned in the ordinance.

Local authorities can:

- Limit the hours of operation so long as they are not unduly restrictive.
- Maintaining sanitary conditions and securing local authority permits, valid business license.
- Ensure compliance with the federal American with Disabilities Act or other disabled access standards.
- Prohibit sidewalk vendors from the immediate vicinity of permitted certified farmers; market or permitted swap meeting.
- Restrict or prohibit sidewalk vendors within the immediate vicinity of any special temporary permit issued by a local agency (i.e.: parades or outdoor concerts).
- Can subject violators to administrative fines.

The proposed Sidewalk Vending Ordinance (See Attachment A) is intended to create a regulatory system for sidewalk vending that brings the City of Colusa law in compliance with recent Senate Bills while also contributing to the economic and cultural experiences of the community while also balancing the built environment acknowledging established improvements related to safety such as fire hydrants and movement of vehicles, while also acknowledging other pedestrians that utilize sidewalks for access and movement.

Planning Commission

On October 1, 2025, Planning Commission recommended approval (5 yes, 0 no) to the City Council to adopt the proposed ordinance, with modifications, which are underlined as

additions or ~~striketrough~~ as language to be removed (see draft Ordinance) and to find the Colusa Municipal Code amendments exempt from the California Environmental Quality Act (CEQA).

GENERAL PLAN:

The following General Plan Goals, Policies and Actions are applicable to the project:

Goal LU-8: To provide a variety of high-quality residential developments and neighborhoods for all income groups.

Goal LU-10: To promote an expanding and increasingly diversified local economy that will meet the employment needs of local residents and strengthen the local tax base.

Policy LU-10.1: The City shall make every effort to attract new jobs-producing businesses that will maximize economic benefits to current and new residents and businesses.

Goal CCD-1: To ensure the preservation and enhancement of Colusa's unique community character and vitality within its neighborhoods and business districts.

Policy CCD-4.2: The City shall encourage a combination of uses in the Downtown to include retail, office, and entertainment uses (e.g., movie and performing arts theaters) that serve the daily and occasional needs of residents.

FINDINGS

The required findings for adopting the Ordinance and CEQA Exemption are found within the Ordinance (**Attachment 1**).

PUBLIC CONTACT AND ENVIRONMENTAL REVIEW

A 20-day public hearing notice was published in the Pioneer Review on October 10, 2025, and a notice was also placed at the planning counter. The Ordinance amendment has been determined exempt pursuant to the California Environmental Quality Act Section 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 result in a significant effect on the environment, and the proposed revisions to the Municipal Code are exempt from further review under CEQA.

BUDGET IMPACT

None Expected

ATTACHMENTS

1. Ordinance of the City Council - Chapter 12.17 – Sidewalk Vending Regulations