



TOWN OF COLMA

Zoning Clearance Application for Home Office and Cottage Food Operation Uses

The Town of Colma has developed minimum standards for Home Office and Cottage Food Operation uses for the health, safety and welfare of the residents of the Town. The use and enjoyment of properties closely proximate to one another depends upon limitations on commercial and other uses within residential areas. A Zoning Clearance (this application) and Business Registration are required in order to carry out Home Office and Cottage Food Operation uses.

Application and Fees (payable to Town of Colma) for:

- Home Office \$50.00
- Cottage Food Operation \$50.00

Property Address: _____

Assessor's Parcel No.: _____ (found on property tax bill)

Description of activities and type of Business: _____

Applicant

Name: _____ Telephone No.: _____

Mailing Address: _____

E-Mail Address: _____

Applicant Signature: _____ Date: _____

Property Owner/Property Manager (if different than applicant)

Name: _____ Telephone No.: _____

Mailing Address: _____

E-Mail Address: _____

Authorized Owner/Manager Signature: _____ Date: _____

<u>This section to be completed by the Planning Division.</u>	
Application Submittal Checklist:	Date Rec'd Stamp
_____ Fee: \$50.00	

The Town of Colma Planning Division is open Monday - Friday – 8 am to 5 pm
 1190 El Camino Real, Colma, CA 94014
 Telephone: (650) 757-8888 FAX: (650) 757-8890 Email: planning@colma.ca.gov

Home Office Operator Statement

As the Home Office Operator, I hereby certify, under penalty of perjury, that my home office:

- (1) will not *Change Residential Character* by interfering with, frustrating, or obstructing the primary use of the property as a residence or which changes the color, material, construction or lighting of the premises to attract business.
- (2) will not *Park or Store Commercial Vehicles or Attachments*. A vehicle used primarily in connection with the Home Office shall not be parked, stopped or stored on the subject property or on any public street in the Town. Equipment attached to a vehicle used primarily in connection with the Home Office Use shall not be parked, stopped or stored on the subject property or on any public street in the Town.
- (3) will not involve *Direct Sales* of goods, merchandise, or services except by mail, telephone or other mode of electronic communication and where no merchandise is physically delivered to, sent from, or stored at the premises.
- (4) will not involve the *Sales of Illegal or Regulated Items and Services*. Use of a home office or dwelling unit for illegal sale, either direct or indirect, is prohibited. Examples include but are not limited to: sale of firearms [as defined by Penal Code Section 12001(b)]; sale of hazardous materials, fireworks or explosives; sale of alcoholic beverages made on the premises or elsewhere; sale of prescription medications or narcotics; sale of illegally imported items; and appointments for massage or escort services.
- (5) will not involve any *Environmental Disturbances*. An environmental disturbance is any activity which will emit, release, cause or create any of the following: objectionable noise [in excess of 45 decibels, "A" weighted day-night level or dBA(LDN)], electrical or magnetic interference, vibration, release of particulate matter, odor, heat, humidity, glare, refuse, radiation, interference with the transmission of communications, interference with radio or television reception, or other objectionable emissions, effects or hazards, which increase these effects above the local ambient level or create a potential danger to the community.
- (6) will only use residential or light business *Equipment and Furniture* such as facsimile machines, table-top copy machines, phones, personal computers, laptops, and electronic tablets and office furniture. Where the dwelling is used for music lessons, only musical instruments and office furniture will be used. Machinery and equipment not normally found in a residence is not permitted in a home office.
- (7) will not involve *Manufacturing or the use of Fabrication Equipment*. The manufacture or fabrication of goods is prohibited.
- (8) will not involve *Instruction of more than Two Students* at any given time. Not more than six students per day are permitted at the dwelling unit. All lessons shall be by appointment only, and recitals are not permitted. All lessons shall be in a subject taught at an accredited grammar or high school or in playing a musical instrument, such as the piano or guitar.
- (9) will not *Employ Nonresidents* who do not live at the property. This prohibition does not apply to a domestic servant, such as a maid, gardener, or babysitter, who has been hired to assist in maintaining the household or caring for a resident.
- (10) will not include *Signage*. No person may install or permit a sign for a home office use that is not in conformance with the regulations for the district in which the business is located.

Cottage Food Operator Statement

As the Cottage Food Operator, I hereby certify, under penalty of perjury, that:

- (1) a "Class A" Cottage Food Operations registration or "Class B" Cottage Food Operations permit for my Cottage Food Operation has been issued by San Mateo County Environmental Health Department and will be maintained in good standing.
- (2) my Cottage Food Operation will at all times be in full and complete compliance with each of the requirements of Health and Safety Code section 114365.
- (3) no more than two customers will be onsite at any given time, and direct onsite sales will only occur between the hours of 8:00 am and 6:00 pm, Monday through Friday, and between the hours of 9:00 am and 5:00 pm, Saturday and Sunday.
- (4) gross annual sales for my Cottage Food Operation will not exceed \$35,000 in 2013; \$45,000 in 2014; and \$50,000 in 2015.
- (5) my Cottage Food Operation will not have more than one full-time equivalent cottage food employee, not including an immediate family member or household member. Within three months of registering with the County, I shall supply the Town with proof that all persons who prepare or package cottage food products at the permitted Cottage Food Operation have completed a food processor course instructed by the California Department of Public Health.
- (6) my Cottage Food Operation shall not be allowed signage of any kind.
- (7) only my household vehicles normally used for domestic purposes shall be used for deliveries. Also, delivery vehicles will not be heavier than 10,000 pounds in gross weight and will only be loaded or unloaded between 7:00 a.m. and 7:00 p.m. Monday through Friday.
- (8) no food items produced on-site and sold to customers will be consumed onsite, or on the sidewalk or street adjacent to the property.
- (9) all activities related to the Cottage Food Operation, including sales, must be conducted within the enclosed, livable area of my premises.
- (10) my garage or carport, will not be used to store merchandise or equipment, or to conduct any business activity.
- (11) I will not conduct or permit operations in a manner that would generate traffic in greater volumes than would normally be expected in a residential neighborhood or increase parking demands in the area.

Agreed to by: _____

Print Name: _____ Date: _____

As Zoning Administrator, I find that:

- (1) the building is a legal dwelling unit in a location zoned for residential use;
- (2) a resident of the dwelling unit will be the Cottage Food Operator;
- (3) the Cottage Food Operation Use has met the registration requirements for a "Class A" operation or the permitting requirements for a "Class B" operation from San Mateo County Environmental Health Department and complies with the California Health and Safety Code by providing the appropriate documentation from the San Mateo County Environmental Health Department;
- (4) the Cottage Food Operation will use only the existing, legally permitted, kitchen in the unit for production; and
- (5) the Cottage Food Operation Use will not include any use or activity that is not incidental to or incompatible with residential activities.

I hereby provide a Zoning Clearance for this Cottage Food Operation:

_____	_____	_____
City Planner (Zoning Administrator)	Date	Zoning

Comments: _____

