



August 31, 2021

Sheryl Bratton
County Administrator
575 Administration Drive, Room 104-A
Santa Rosa, CA 95403

Re: Letter of Support for a Two-Year Pilot Program Implementing AB 626, the Homemade Food Operations Act

Dear Ms. Bratton,

We are in receipt of your letter dated July 26, 2021, requesting that the City of Santa Rosa provide its position regarding Assembly Bill 626, the recently enacted legislation enabling the County to authorize operation of Microenterprise Home Kitchen Operations (MEHKO) in all residential dwellings throughout the County. As noted in your letter, in the event the County chooses to “opt in” to the MEHKO program, every city and town within the County, including the City of Santa Rosa, will be automatically required to participate in the program but would be precluded from regulating the MEHKOs within their respective jurisdictions.

In general, the City supports the County’s interest in allowing MEHKOs and agrees that permitting these small-scale businesses will reduce barriers for disadvantaged communities and will provide greater economic opportunities to residents County-wide, particularly for women, immigrants, and people of color that are often under-represented in the food industry. The City is concerned, however, that allowing this new use without any regulations or restrictions could result in unintended adverse impacts.

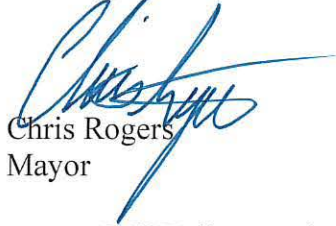
As you may be aware, the City is currently considering an ordinance (similar to the County’s vacation rental ordinance) to restrict Short Term Vacation Rentals due to concerns regarding public health, safety and welfare. Some of these same concerns including, but not limited to, fire evacuation and safety, sanitation, parking, noise and other nuisances, traffic congestion, and building and fire safety, may also be associated with MEHKOs that can serve up to 30 individual meals per day either on premises or for pick up or delivery. This amount of activity, left unregulated, could result in adverse impacts to City residents. For this reason, the City respectfully requests that the County opt into a two-year Pilot Program for MEHKOs, during which time the City can better evaluate the potential impacts of this new commercial use in our residential areas and consider potential operating guidelines, procedures, and requirements that can better serve our community and residents.

MEHKO pilot programs have been adopted in other counties including Lake County, which between January 1 and June 30 of this year will allow up to two permits per month and a maximum

of two per supervisorial district, and San Mateo County which recently approved a two-year pilot program funded by federal funds from the American Rescue Plan Act. San Bernardino County is also currently considering a pilot program to allow MEHKOs to operate temporarily to test potential impacts. Like these counties, the City believes engaging in a pilot program will both support the legislative intent of AB 626 and protect the health and safety of our residents.

Thank you again for considering the City's comments. We look forward to working together to support economic opportunities for our residents while also protecting their health and safety; we believe a short-term pilot program for MEHKOs supports each of these goals. If you wish to discuss this further please contact Clare Hartman, Interim Assistant City Manager, by email at chartman@srcity.org or by phone at (707)543-3185.

Sincerely,



Chris Rogers
Mayor

cc: Jeff Kolin, Interim City Manager
Clare Hartman, Interim Assistant City Manager
Christine Sosko, Director of Environmental Health
Bob Pittman, County Counsel
Sue Gallagher, City Attorney