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10 May 2021

Honorable Bob Nelson, Chair
Honorable Joan Hartmann, Vice Chair
Honorable Gregg Hart, Supervisor
Honorable Steve Lavagnino, Supervisor
Honorable Das Williams, Supervisor

RE: MICROENTERPRISE HOME KITCHEN OPERATIONS (MHKOs)

Thank you for agreeing to pause the review/approval of the MHKO ordinance earlier this spring. This time allowed us to connect more directly with representatives from the County's Environmental Health staff, with city staff and elected leaders, and with representatives of the local restaurant community.

While these conversations provided more context and information about the intent and expectations on the part of the County relative to this ordinance, we frankly did not hear anything that alleviated our original concerns or created a sense of confidence that the risks and challenges associated with this ordinance outweigh the hoped for benefits.

As champions for businesses and the communities in which we operate, we believe that allowing the establishment of these new MHKOs is inappropriate for the following reasons:

Impact on Existing Restaurants

The past year has been devastating to many local industries, but perhaps none more so than our restaurants and related businesses. The shifting requirements and multiple closures have created incredible harm in this business sector; impacts which will take years for the industry to overcome.

We join with many local restaurant operators in expressing concerns about the further negative impacts that this new competition would inflict on restaurants exactly at the time when they are most vulnerable. Allowing competition which is not subject to the same rules, regulations, and costs is inappropriate, particularly at this time.

Restaurants are often required to comply with specific, expensive requirements designed to ensure the safety of the facility and minimize impacts on the community. Among other requirements, restaurants must install fire control measures beyond those typically found in a home kitchen; similarly, waste water systems in restaurants go well beyond residential requirements. These, and many other requirements, while necessary for the health and safety of our community, would put traditional commercial restaurants at a distinct disadvantage relative to competitors allowed to operate out of their homes.

Impacts on Neighborhoods

While many of our cities are moving toward more flexible multi-use zoning and developments, allowing the establishment of businesses in existing residential neighborhood which were not planned or developed to accommodate this type of activity will lead to negative impacts on the character of these neighborhoods, increased traffic and parking concerns, and conflicts between neighbors.

Please note that we are not opposed to all food-related entrepreneurship opportunities; in many cases, we have supported options related to cottage food operations. In this case, however, we believe that expanding those opportunities to allow restaurant-type operations is a step too far.

We stand ready to convene and facilitate a dialogue between the restaurant industry, proponents of MHKOs, and county regulatory staff to develop a plan that can be supported by all. To allow for that dialogue – and to avoid adding additional pressure on a key local industry as they recover from the pandemic, we ask the Board to indefinitely defer this resolution and any related activity.

For the reasons outlined above, we respectfully ask the Board to decline the request to allow Microenterprise Home Kitchens in our County.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn Morris". The signature is stylized and cursive, with a large initial "G" and "M".

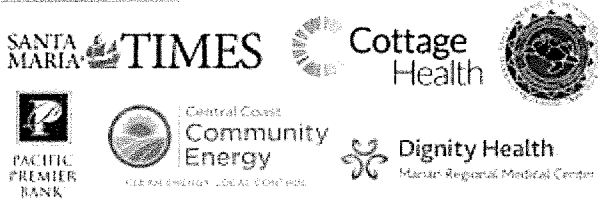
Glenn Morris, ACE
President & CEO

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