




MICROENTERPRISE HOME KITCHEN OPERATIONS (MEHKOS)


Santa Barbara County Public Health Department, Environmental Health Services


March 2, 2021 Public Hearing





 AB 626 authored by Assemblymember Eduardo Garcia

 AB 626 became effective January 1, 2019

 AB 377 is a cleanup bill for AB 626 which was signed by the Governor on October 7, 2019 and became effective immediately

 AB 626 allows for the operation of Microenterprise Home Kitchen Operations (MEHKOs) if the County authorizes the permitting of them by ordinance or resolution

 An authorization (“opt-in”) by the County automatically opts-in the unincorporated area and all cities within the county as well

 January 28, 2020: the Santa Barbara County Board of Supervisors directed Environmental Health Services (EHS) to prepare an ordinance regarding MEHKOs for consideration by the Board

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MICROENTERPRISE HOME KITCHEN OPERATION REQUIREMENTS

- Food facility operated by a resident in a private home
- Maximum one full-time employee (in addition to family or household members)
- Food must be prepared, cooked, and served on the same day
- Maximum 30 meals per day / 60 per week
- Maximum \$50,000 / year in gross sales
- Food can only be sold directly to customers for on-site dining, delivery, or take-out



CURRENT PERMITTED HOME KITCHEN OPERATIONS IN SANTA BARBARA COUNTY



Cottage Food Operations

- Approximately 300 in the County
- Direct & indirect low-risk food sales



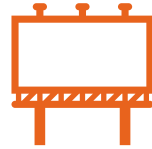
Bed & Breakfasts / Agricultural Homestays

- Private residences operating as transient occupancy businesses

COMPLAINTS AND NUISANCES



Code enforcement agencies may investigate and enforce nuisance violations (i.e. odors, traffic, parking, excessive noise, etc.)



A MEHKO may not post signage or other outdoor displays advertising the MEHKO



EHS can conduct inspections in response to complaints or suspected outbreaks of foodborne illness

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EHS fees are set by the Santa Barbara County Board of Supervisors at full cost recovery rate



MEHKOs would be added as a new fee category



Proposed annual fee of \$391 per year (with an initial application fee of \$255 plus the EHS hourly rate for plan review)



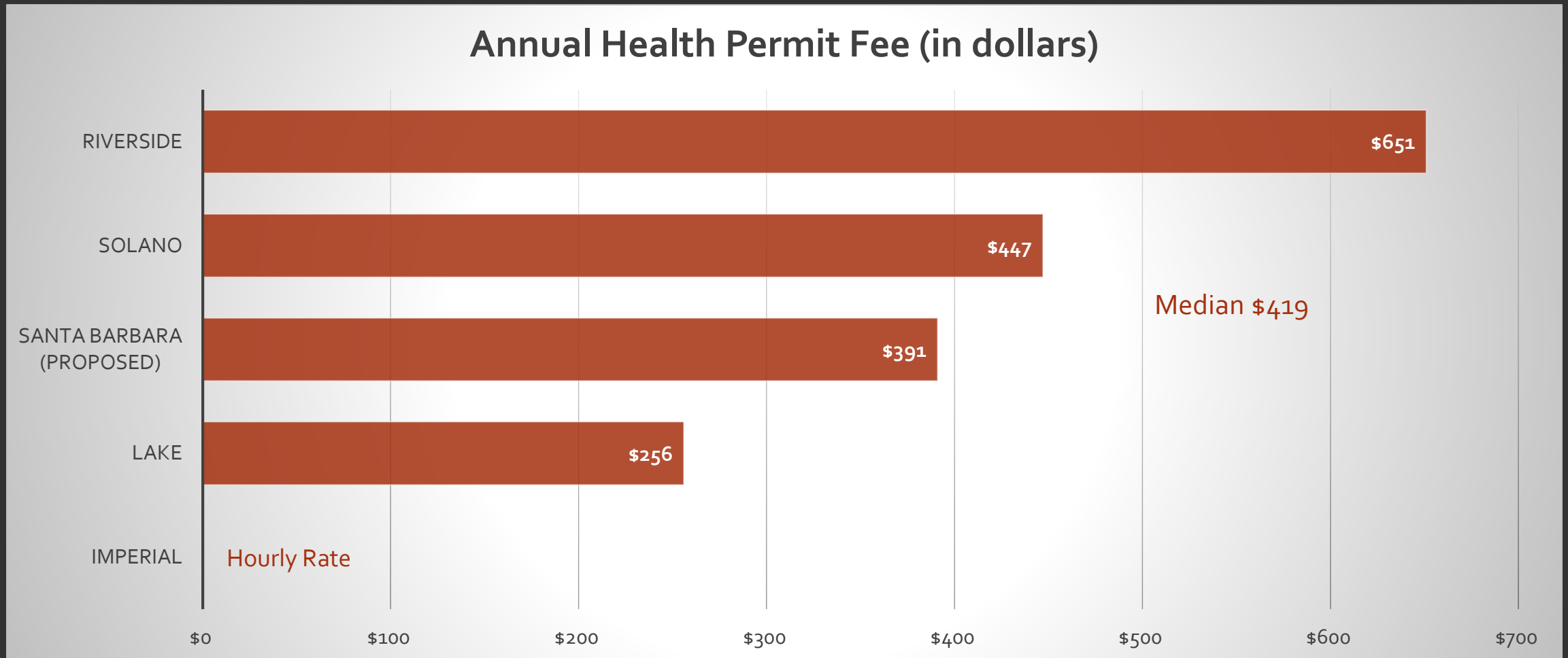
Proposed fee is based on the current annual EHS permit fee for a full-service food facility of equal or less than 500 square feet (smallest restaurant permit fee)



Fee will be reviewed on a regular basis to ensure that it accurately reflects the costs of the program

FEES

FEE BENCHMARKING



STAKEHOLDER OUTREACH

- Environmental Health Services website
- Direct responses to individual questions
- Stakeholder meetings:
 - February 19, 2020 (in-person; city and county government agencies)
 - May 14, 2020 (virtual; interested parties)
 - January 6, 2021 (virtual; interested parties)



RECOMMENDED ACTIONS

On March 2, 2021:

1. Approve the introduction (First Reading) of an Ordinance to amend Chapter 16, Article III, entitled "County Retail Food Code" in the Santa Barbara County Code;
2. Read the title of the Ordinance and waive full reading of the Ordinance;
3. Adopt a Resolution amending fees for Environmental Health Services relating to Food Facilities to incorporate new fees for Microenterprise Home Kitchen Operations; and
4. Determine that the Resolution amending fees for Environmental Health Services relating to Food Facilities is exempt from California Environmental Quality Act review pursuant to CEQA Guideline Sections 15273 and Public Resources Code 21080, subdivision (b)(8)(A); and that the recommended actions are otherwise not a project subject to CEQA pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5).

RECOMMENDED ACTIONS

On March 9, 2021:

1. Consider and approve the adoption (Second Reading) of an Ordinance to amend Chapter 16, Article III, entitled “County Retail Food Code” in the Santa Barbara County Code; and
2. Find that the Ordinance is exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline Section 151061(b)(3), since it can be seen with certainty that there is no possibility that the activity may have a significant impact on the environment, and direct staff to file a Notice of Exemption.



QUESTIONS?

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