

ZONING CODE TEXT AMENDMENT SUMMARY

<i>Initiator:</i>	Council Member Glidden
<i>Introduction Date:</i>	March 18, 2016 and April 1, 2016
<i>Prepared By:</i>	<u>Shanna Sether</u> , Senior City Planner, (612) 673-2307
<i>Intent:</i>	Amending regulations for establishments that provide free food, clothing and services.

APPLICABLE SECTION(S) OF THE ZONING CODE

- Chapter 520, Introductory Provisions
- Chapter 536, Specific Development Standards
- Chapter 537, Accessory Uses and Structures
- Chapter 541, Off-Street Parking and Loading
- Chapter 548, Commercial Districts
- Chapter 549, Downtown Districts
- Chapter 550, Industrial Districts

The following chapters were also introduced: Chapter 535, Regulations of General Applicability, Chapter 546, Residence Districts and Chapter 547, Office Residence Districts. However, staff is not recommending changes to these chapters as part of this amendment and is therefore recommending returning them to the author.

BACKGROUND

On March, 18, 2016, Council Member Glidden has introduced subject matter to amend ordinances related to *missions* and to allow for a new use in the zoning code that provides services such as a food shelf and clothing or household supply donation. Ancillary services such as counseling or vocational training may be provided.

According to the U.S. Department of Agriculture's Economic Research Service (2006), 11 percent of all U.S. households in 2005 were "food insecure" because of a lack of sufficient food. Feeding America, similarly reports that one in ten Minnesotans struggle with hunger and approximately 135,000 people in Hennepin County are food insecure.

The *Star Tribune* reported on April 13, 2016, that "Minnesota ranks 7th worst in the nation for the breadth of its "food deserts" — geographic areas in which people lack immediate access to grocery stores — which affect nearly a third of the state's population, according to a report released Monday afternoon by the Federal Reserve Bank of Minneapolis and Wilder Research." Additionally, the article states that the "[a]ffordability of health food is part of the equation as well, as 341,000 Minnesotans struggle to get healthy food, both due to the lack of an immediate store and to poverty, according to the new report, which paired existing research on food deserts with state economic and population data."

In addition to reducing food insecurities, local stakeholders have identified the need for healthy foods in food shelves and culturally sensitive or culturally specific food shelves. The Minneapolis Health Department supports Minneapolis Healthy Food Shelf Network with funding from the Statewide Health Improvement Program. The Minneapolis Healthy Food Shelf Network is a collection of food shelves and hunger relief organizations committed to increasing the amount of healthy foods available to individuals and families in need. Over one dozen Minneapolis food shelves are working together on the following goals:

- 1) Access to high-quality, fresh produce and healthy items from farmers markets, community gardens, and retail food stores
- 2) Education for clients about healthy food options.
- 3) Development of messaging to encourage everyone to donate healthier food items.

Food shelves are presently defined as a *mission* in the zoning code. Missions are also places where people can receive free meals, day shelter and services, such as counseling and vocational training. Staff has identified thirty food shelves and six day shelters throughout the Minneapolis. Missions are allowed as a principal use in the most intense zoning districts, C4 General Commercial District, B4C Downtown Commercial District, and the industrial districts. In each of these districts, the use requires a conditional use permit. Missions are also allowed when accessory to a religious institution place of assembly with a conditional use permit.

Staff has analyzed the existing definition and is proposing to modify the existing definition for mission and adding a new definition for community service facility.

Community service facility. A facility that provides services such as a food shelf, clothing or supplies. Ancillary services such as counseling or vocational training may be provided.

Mission. A facility that provides services such as ~~a food shelf~~, free meals, ~~or~~ snack, or day shelter. Ancillary services such as counseling, vocational training or free clothing may also be provided. Treatment for chemical dependency and overnight shelter are prohibited.

The characteristics outlined in the new definition for community service facility would be compatible in all of the commercial, downtown and industrial districts. Upon review of the existing food shelf operators and locations, staff has found that this type of use is commonly associated with development achievement centers, community centers and religious institutions. Therefore, the proposal is to allow for community service facilities accessory to these principal uses, which are commonly located in residence and office-residence districts.

In order to ensure compatibility with surrounding uses in the allowed districts, there will be a series of three proposed specific development standards. Finally, the proposed text amendment will include a vehicle and bicycle parking requirement and off-street loading requirement.

Council Member Glidden held a meeting with Homegrown Minneapolis, Hunger Solutions and stakeholders who advocate for finding solutions to prevent hunger and food insecurities on April 7, 2016. Staff presented the existing zoning code requirements and the proposed text amendment. An e-mail from the co-chair of the Homegrown Minneapolis Food Council supporting the text amendment; a copy of the e-mail is attached to the staff report.

PURPOSE

What is the reason for the amendment?

The purpose of the amendment is to allow food shelves, clothing donation and household supplies with ancillary services, such as counselling and vocational training, as a principal land use in more zoning districts. In addition to reducing food insecurities, local stakeholders have identified the need for healthy foods in food shelves and culturally sensitive or culturally specific food shelves.

These land uses are presently defined as a *mission* in the zoning code. Missions are also places where people can receive free meals, day shelter and services, such as counseling and vocational training. Staff has identified thirty food shelves and six day shelters throughout the Minneapolis ([map](#)). Missions are allowed as a principal use in the most intense zoning districts, C4 General Commercial District, B4C Downtown Commercial District, and the industrial districts. In each of these districts, the use requires a conditional use permit. Missions are also allowed when accessory to a religious institution place of assembly with a conditional use permit. Staff is proposing to amend the zoning code by extracting food shelves, clothing donation and household supplies from the existing *mission* definition and create a new land use category and definition for *community service facility*.

The characteristics outlined in the new definition for community service facility would be compatible in all of the commercial, downtown and industrial districts. Upon review of the existing food shelf operators and locations, staff has found that this type of use is commonly associated with development achievement centers, community centers and religious institutions. Therefore, the proposal is to allow for community service facilities accessory to these principal uses, which are commonly located in residence and office-residence districts.

What problem is the amendment designed to solve?

Many of the City's existing food shelves are located accessory to existing community centers, development achievement centers (adult day cares) and religious institutions or places of assembly. Staff has researched the thirty existing food shelves and found only three of them have an existing conditional use permit and the remainder have either established prior to the ordinance or have not received zoning approval. This amendment is intended to allow new food shelves and clothing and household

supply donations where they are already happening – in community centers, adult day cares and religious institutions. Staff has determined that the characteristics outlined in the new definition for community service facility would be compatible in all of the commercial, downtown and industrial districts.

What public purpose will be served by the amendment?

This new use is intended to serve a public purpose by allowing more properties in the City of Minneapolis to have a food shelf, clothing or household supply donations, either accessory or as a principal use in certain zoning districts. Food shelves require a Minneapolis business license and a health inspection to operate. This ensures public safety, because these uses are regularly inspected for food safety, sanitary spaces and property business operations.

The Minneapolis Health Department supports [Minneapolis Healthy Food Shelf Network](#) with funding from the Statewide Health Improvement Program. The Minneapolis Healthy Food Shelf Network is a collection of food shelves and hunger relief organizations committed to increasing the amount of healthy foods available to individuals and families in need. Minneapolis Health Department staff provides individual assistance with established food shelves by providing information on merchandising and marketing, product placement, signage and display baskets. In addition, staff work with food shelf managers or volunteers to work on organizational changes by identifying best practices to ensure healthy foods are emphasized through amending their written policies and review by the individual food shelf Boards.

Staff finds that the proposed amendment will allow for new food shelves, citywide, that will be regulated for safety and sanitary conditions. In addition, new food shelves will have the opportunity to work with the Minneapolis Health Department to encourage nutrition using strategies to ensure access to healthy foods for all residents.

What problems might the amendment create?

The proposed amendment would allow for new food shelves and clothing/household supply donation service uses in all commercial, downtown and industrial districts as a principal use and accessory to any community center, development achievement center and religious institution. These uses are currently allowed as a principal use in the most intense zoning districts, C4 General Commercial District, B4C Downtown Commercial District, and the industrial districts, with a conditional use permit. Staff is proposing that this use be permitted and we have identified development standards to ensure compatibility of the use with the surrounding area.

TIMELINESS

Is the amendment timely?

Staff is working with an existing community center that is planning to add a culturally specific food shelf in South Minneapolis. The existing property is zoned OR1 Neighborhood Office Residence District and a new mission at this location would require rezoning to the C4 General Commercial District or an industrial district. The property is located on a community corridor, which would not support this degree of rezoning. In addition to meeting the needs of the community who require foods specific to their culture or ethnicity, Hennepin County residents have increased the number of food shelf visits in

the last five years. According to [Hunger Solutions](#), child visits to food shelves increased by 4,335 (1.42%) and adults visits increased by 70,767 (18.16%) between 2011 and 2015. In the same time span, individual visits increased by 83,655 (10.59%) and seniors by 8,553 (9.11%)¹. Increasing the number facilities that provide food shelves, clothing donation and household supplies is timely.

Is the amendment consistent with practices in surrounding areas?

Staff has conducted peer city review of similar zoning ordinances in Minnesota and other cities in the U.S. St. Paul, MN, defines food shelves in their zoning ordinance as ‘a place where groceries are provided at no cost to individuals in emergency situations and where groceries are consumed off-site.’ The use is allowed accessory to dwellings, religious and community centers and is allowed as a permitted principal use in their Traditional Neighborhood, Business and Industrial Districts. Milwaukee WI, has a use named *social service facility*, which is a facility operated by an organization that provides services such as training, counseling, health, or the distribution of food or clothing. San Diego CA, refers to a similar use called *social service institution*, which is an organization engaged in activities that promote social welfare, including philanthropic assistance to the sick, needy or unfortunate.

Other peer cities, such as Madison WI, Portland OR, and Pittsburgh PA allow free food and clothing distribution and services accessory to homeless shelters. In Los Angeles, *rescue* missions, are required to be accessory to a religious institution. In some cases, these uses are required to be provided by non-profit institutions.

Are there consequences in denying this amendment?

The consequences of denying the proposed text amendment will to continue to only allow for new food shelves and clothing and household supply donations accessory to a place of assembly or religious institution or in the most intensive zoning districts in the City. Reducing the available locations for these uses will prevent new facilities from locating in areas where there is a need for services. As previously mentioned, staff has been working with an applicant who is interested in opening a new culturally specific food shelf and will not be able to establish this use without an amendment to the zoning code.

COMPREHENSIVE PLAN

The amendment will implement the following applicable policies of [The Minneapolis Plan for Sustainable Growth](#):

Staff has identified the following applicable policies that support an amendment to the Community Service Facility land use in the zoning code:

Public Services and Facilities Policy 5.7: Protect and improve individual, community, and environmental health.

- 5.7.1 Support the health of individuals through direct services, initiatives, research, and advocacy.

¹ "Hunger Solutions Minnesota." *Hunger Solutions Minnesota*. Web. 13 Apr. 2016.

- 5.7.2 Integrate physical activity into the everyday life of residents through land use and transportation planning.
- 5.7.3 Promote nutrition using strategies to ensure access to healthy foods for all residents.
- 5.7.4 Implement regulations and incentives that ensure healthy homes, workplaces, and other environments.

This amendment is supported by the above policies and is consistent with the above policies of the comprehensive plan.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt staff findings to amend Title 20 of the Minneapolis Code of Ordinances, as follows, and further recommends that Chapters 535, 546 and 547 be returned to the author:

A. Text amendment amending regulations for establishments that provide free food, clothing and services.

Recommended motion: **Approve** the text amendment to amend the zoning code to allow for a new use, Community Service Facility.

Chapter 520 related to the Zoning Code: *Introductory Provisions*

Chapter 536 related to the Zoning Code: *Specific Development Standards*

Chapter 537 related to the Zoning Code: *Accessory Uses and Structures*

Chapter 541 related to the Zoning Code: *Off-Street Parking and Loading*

Chapter 548 related to the Zoning Code: *Commercial Districts*

Chapter 549 related to the Zoning Code: *Downtown Districts*

Chapter 550 related to the Zoning Code: *Industrial Districts*

ATTACHMENTS

1. Ordinance amending Chapters 520, 536, 537, 541, 548, 549, and 550.
2. Correspondence