



Request for City Council Committee Action from the Department of Regulatory Services

Date: Wednesday, October 21, 2009

To: Council Member Don Samuels

Referral to: Public Safety and Regulatory Services Committee

Subject: Amending Title 10, Chapter 203, of the Minneapolis Code of Ordinances relating to the Food Code, Grocery Stores and Specialty Stores.

Recommendation: That the Public Safety and Regulatory Services Committee approve an amendment to Chapter 203 to allow grocery stores located in shopping centers to be less than 2000 square feet, be exempt from the requirement to sell fresh staple foods, and be allowed to sell tobacco products.

Previous Directives: None.

Department Information

Prepared by: Ricardo Cervantes, Deputy Director
Licenses and Consumer Services

Approved by: Rocco Forte
Assistant City Coordinator
Regulatory Services & Emergency Preparedness

Presenters in Committee: Ricardo Cervantes

Financial Impact: Allowing small grocery stores in our city will add revenue and will also increase cost to the City in inspections and enforcement.

Community Impact

Neighborhood Notification: Notice of this proposed amendment was sent to all City of Minneapolis official neighborhood groups and business groups of record.

Supporting Information

Staff Report:

Current city ordinances require that grocery stores be at least 2000 square feet. This requirement was put in place in 1996 to combat the proliferation of small corner grocery stores that had become magnets for crime and neighborhood conflict.

The amendment would allow grocery stores located in shopping centers to be exempt from the requirements in 203.20:

1. The 2000-square-foot requirement.
2. The requirement for a minimum of four off-street parking spaces.
3. The requirement that grocery stores sell a variety of staple food items.

Chapter 520.160 defines shopping center: "A unified development of two (2) or more ground floor commercial uses, excluding offices, operated under common ownership or management, which may be connected by a common wall or may be freestanding, and which may include common parking and signage. A shopping center shall not include a storefront building or a group of storefront buildings where each use includes a separate principal customer entrance facing the street."

The amendment also makes changes to the definition of specialty food store. The change would clarify that these stores are not eligible for government supplemental nutrition programs, by virtue of not having for sale enough classes of staple foods. It also removes the ban from selling tobacco products in specialty food stores in this chapter because it is addressed more appropriately in the tobacco code, which was recently modified to address tobacco sales in commercial districts.