

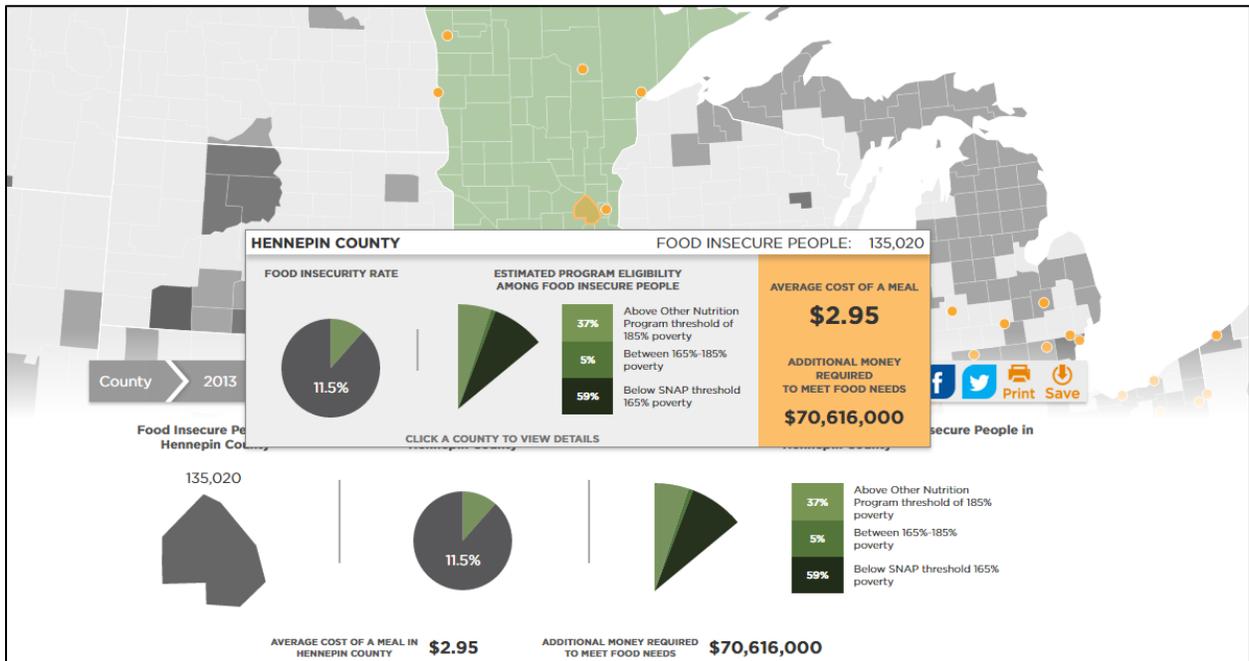
MEMORANDUM

TO: City Planning Commission, Committee of the Whole
FROM: Shanna Sether, Senior City Planner, (612) 673-2307
DATE: March 31, 2016
SUBJECT: Community Service Facility Zoning Code Text Amendment

BACKGROUND

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, clothing or supplies. 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.



Credit: [Feeding America website](#)

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.

PEER CITY RESEARCH

Staff conducted peer city research to determine what types of ordinances exist for establishments that provide free food, clothing, and services. Approximately one-half of the cities surveyed required a conditional use permit to allow for this type of use. In all of the cities, shelters were allowed as a principal use in a variety of districts including residential, commercial, industrial and downtown districts. Nearly all of the researched cities allow for food, clothing and services accessory to other uses, including religious institutions and emergency shelters.

PUBLIC OUTREACH

Staff is scheduled to meet with Council Member Glidden and stakeholders who advocate for finding solutions to prevent hunger and food insecurities in early April 2016.

APPLICABLE POLICIES

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.
- 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.

Open Space and Parks Policy 7.3: Maintain and improve the accessibility of open spaces and parks to all residents.

- 7.3.1 Ensure that access to the city's lakes, streams and the Mississippi River continues to be maintained for the benefit of present and future citizens of Minneapolis.
- 7.3.2 Encourage the development of a broad array of recreation facilities and opportunities in response to a diverse range of resident interests.
- 7.3.3 Support the development of additional publicly accessed open spaces in underserved areas.

- 7.3.4 Encourage the equitable spatial distribution of community gardens and food markets to provide all Minneapolis communities with access to healthy, locally grown food.
- 7.3.5 Promote designs that ensure access to open space for people with a range of abilities.
- 7.3.6 Ensure that in all areas of the city people feel safe so that they are comfortable using parks and open spaces.

PROPOSED TEXT AMENDMENT

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.

Staff believes that 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, staff is proposing to allow for community service facilities accessory to these principal uses, which are commonly located in residence and office-residence districts.

Staff has identified specific development standards to ensure compatibility with surrounding uses in the allowed districts. Finally, staff has proposed a general vehicle and bicycle parking requirement and off=street loading requirement.

ATTACHMENTS

1. Proposed zoning code text changes.
2. Peer city research table.

520.160. - Definitions.

Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

Community center. An establishment operated by a non-profit organization or government agency, which includes recreational and cultural facilities, meeting rooms, social service facilities and public health facilities, or any combination thereof, and that is not a public park.

Community service facility. A facility that provides services such as a food shelf, clothing, personal care items 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.

536.20. - Specific development standards.

The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations.

Community service facility.

- (1) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.
- (2) An appointment or set hours for the acceptance of merchandise shall be required.
- (3) All receipt, sorting and processing of goods shall occur within a completely enclosed building.

Mission.

- (1) The use shall be located at least one thousand (1,000) feet from all existing missions, alternative financial establishments and pawnshops.
- (2) The use shall conspicuously post legible signs at the public entrance(s) advising patrons of the hours of operation of the facility and its meal service, if applicable.
- (3) A waiting area for clients shall be provided which shall be available to clients one (1) hour prior to the posted opening of the use and shall include toilet facilities.
- (4) Trash receptacles shall be located at the public entrance(s), and the premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.
- (5) An appointment or set hours for the acceptance of donated merchandise shall be required.
- (6) All receipt, sorting and processing of goods shall occur within a completely enclosed building.

537.110. - Allowed accessory uses and structures. The following accessory uses and structures shall be allowed, subject to the following development standards:

Community service facility. In addition to the zoning districts in which community service facilities are allowed as a principal use, community service facilities shall be allowed accessory to a community center, development achievement center, or religious institution place of assembly subject to the provisions of [Chapter 536, Specific Development Standards](#).

Missions. Missions be allowed accessory to a religious institution place of assembly. In addition to obtaining a conditional use permit, as specified in [Chapter 525, Administration and Enforcement](#), such mission shall be subject to the following standards:

- (1) Mission clients shall be provided with an enclosed waiting area one (1) hour prior to opening, except when the mission serves clients by appointment only.
- (2) The operator shall submit a management plan for the facility and a floor plan.
- (3) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.
- (4) An appointment or set hours for the acceptance of merchandise shall be required.
- (5) All receipt, sorting and processing of goods shall occur within a completely enclosed building.

Table 541-I Specific Off-Street Parking Requirements

Minimum parking requirement, in general. Non-residential uses with one thousand (1,000) square feet or less shall be exempt from minimum off-street parking requirements. All uses over one thousand (1,000) square feet, other than those specified under the heading "Residential Uses" shall provide a minimum of four (4) parking spaces or the amount specified in this table, whichever is greater, except as otherwise provided in this chapter. Multiple-tenant or multiple-use buildings may exempt no more than four (4) uses of one thousand (1,000) square feet or less from the minimum off-street parking requirement. In addition, one (1) parking space shall be provided for each commercial vehicle or vehicle necessary for the operation of the use that is maintained on the premises. Such vehicles may include, but shall not be limited to, tow trucks, taxis, buses, limousines, hearses, commercial trucks or vans, police or fire vehicles or other service vehicles.

Maximum parking allowed, in general. Uses subject to a maximum parking requirement may provide parking up to the amount specified below provided that a development with one (1) or more non-residential uses shall not be restricted to fewer than ten (10) total accessory parking spaces on a zoning lot.

Use	Minimum Parking Requirement	Maximum Parking Allowed	Notes (see 541.170)
Community Service Facility	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Mission	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2

Table 541-3 Bicycle Parking Requirements

<p>Minimum bicycle parking requirement, in general. Non-residential uses having one thousand (1,000) square feet or less shall be exempt from minimum bicycle parking requirements. Unlisted uses do not have a minimum bicycle parking requirement.</p>		
Use	Minimum Bicycle Parking Requirement	Notes (see 541.180)
INSTITUTIONAL AND PUBLIC USES		
Social, Cultural, Charitable and Recreational Facilities		
Community center	6 spaces	I
<u>Community Service Facility</u>	<u>3 spaces or 1 space per 5,000 sq. ft. of GFA, whichever is greater</u>	<u>I</u>

Table 541-9 Specific Off-Street Loading Requirements

Use	Minimum Loading Requirement
INSTITUTIONAL AND PUBLIC USES	
Social, Cultural, Charitable and Recreational Facilities	
Community center	Low
<u>Community Service Facility</u>	<u>None</u>
Mission	None

548.30. - Principal uses for the commercial districts.

- (a) In general. Table 548-I, Principal Uses in the Commercial Districts, lists all permitted and conditional uses in the commercial districts.
- (b) Permitted uses. Uses specified with a "P" are permitted as of right in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish a permitted use shall obtain a zoning certificate for such use as specified in Chapter 525, Administration and Enforcement.
- (c) Conditional uses. Uses specified with a "C" are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish or expand a conditional use shall obtain a conditional use permit for such use, as specified in Chapter 525, Administration and Enforcement.
- (d) Prohibited uses. Any use not listed as either "P" (permitted) or "C" (conditional) in a particular district or any use not determined by the zoning administrator to be substantially similar to a use listed as permitted or conditional shall be prohibited in that district.
- (e) Specific development standards. Permitted and conditional uses specified with an "✓" under the Specific Development Standards column shall be subject to the specific development standards of Chapter 536, Specific Development Standards.

Table 548-I Principal Uses in the Commercial Districts

Use	C1	C2	C3A	C3S	C4	Specific Development Standards
INSTITUTIONAL AND PUBLIC USES						
Social, Cultural, Charitable and Recreational Facilities						
<u>Community Service Facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>✓</u>
Mission					C	✓

549.30. - Principal uses for the downtown districts.

- (a) In general. Table 549-I, Principal Uses in the Downtown Districts, lists all permitted and conditional uses in the downtown districts.
- (b) Permitted uses. Uses specified with a "P" are permitted as of right in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish a permitted use shall obtain a zoning certificate for such use as specified in Chapter 525, Administration and Enforcement.
- (c) Conditional uses. Uses specified with a "C" are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish or expand a conditional use shall obtain a conditional use permit for such use, as specified in Chapter 525, Administration and Enforcement.
- (d) Prohibited uses. Any use not listed as either "P" (permitted) or "C" (conditional) in a particular district or any use not determined by the zoning administrator to be substantially similar to a use listed as permitted or conditional shall be prohibited in that district.
- (e) Specific development standards. Permitted and conditional uses specified with an "✓" under the Specific Development Standards column shall be subject to the specific development standards of Chapter 536, Specific Development Standards.

Table 549-I Principal Uses in the Downtown Districts

Use	B4	B4S	B4C	B4N	Specific Development Standards
INSTITUTIONAL AND PUBLIC USES					
Social, Cultural, Charitable and Recreational Facilities					
<u>Community Service Facility</u>	P	P	P	P	✓
Mission			C		✓

550.30. - Principal uses for the industrial districts.

- (a) In general. Table 550-I, Principal Uses in the Industrial Districts, lists all permitted and conditional uses allowed in the industrial districts.
- (b) Permitted uses. Uses specified with a "P" are permitted in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish a permitted use shall obtain a zoning certificate for such use as specified in Chapter 525, Administration and Enforcement.
- (c) Conditional uses. Uses specified with a "C" are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish or expand a conditional use shall obtain a conditional use permit for such use, as specified in Chapter 525, Administration and Enforcement.
- (d) Prohibited uses. Any use not listed as either "P" (permitted) or "C" (conditional) in a particular district or any use not determined by the zoning administrator to be substantially similar to a use listed as permitted or conditional shall be prohibited in that district.
- (e) Specific development standards. Permitted and conditional uses specified with a "check" under the Specific Development Standards column shall be subject to the specific development standards of Chapter 536, Specific Development Standards.

Table 550-I Principal Uses in the Industrial Districts

Use	I1	I2	I3	Specific Development Standards
INSTITUTIONAL AND PUBLIC USES				
Social, Cultural, Charitable, and Recreational Facilities				
<u>Community Service Facility</u>	P	P	P	✓
Mission	C	C	C	✓

Peer Cities Research

	Land use name and definition	Zoning Districts Use Allowed	Accessory to a Religious Institution	Subject to Spacing Requirements	Other Performance Standards
St. Paul, MN	Food shelf - A place where groceries are provided at no cost to individuals in emergency situations and where such groceries are consumed off-site.	Accessory to dwellings, religious and community centers. Permitted in all Traditional Neighborhood, Business and Industrial Districts	Yes	No	None
Madison, WI	Mission House - A facility operated by a religious institution or nonprofit organization that provides lodging. May also include the provision of meals, worship services, or other supportive services.	Principal or accessory to religious institutions or non-profits - CUP in mixed-use/com districts, CUP - principal DT/Urban, Permitted-accessory DT/Urban, CUP in Employment Dist, Permitted-accessory Emp Dis, outdoor tents or portable shelters	Yes - overnight/short term shelters	No	a) The use shall be accessory to a religious institution or a non-profit organization. (b) The yard requirements for multi-family use in the district apply. (c) A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street. (d) Where the principal use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood. (e) The owner shall submit a Management Plan for the facility: 1. Required management plan contents: floor plan showing sleeping areas, emergency exits and bathrooms. 2. Recommended management plan contents: parking, bicycle parking, storage of belongings, trash storage/removal, transportation support.
Milwaukee, WI	Social Service Facility -means a facility operated by an organization which provides services such as training, counseling, health or the distribution of food or clothing. This term includes, but is not limited to, a facility offering life skills training, substance abuse counseling, housing services or a neighborhood recovery center. This term does not include an emergency residential shelter.	Special Use Permit - Multi-Family, Office, Commercial, Most Industrial	No - accessory to community center?	None	None, see definition

<p>Portland, OR</p>	<p>A. Characteristics. Community Services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities that have membership provisions are open to the general public to join at any time, (for instance, any senior citizen could join a senior center). The use may provide mass shelter or short term housing where tenancy may be arranged for periods of less than one month when operated by a public or non-profit agency. The use may also provide special counseling, education, or training of a public, nonprofit or charitable nature. B. Accessory uses. Accessory uses may include offices, meeting areas, food preparation areas, food membership distribution, parking, health and therapy areas, daycare uses, and athletic facilities.</p>	<p>Allowed with limitation or CUP in all districts</p>	<p>No</p>	<p>No</p>	<p>No</p>
<p>San Diego, CA</p>	<p>Social service institution means an organization engaged in activities that promote social welfare, including philanthropic assistance to the sick, needy, or unfortunate. This term does not include residential care facilities, provisions for on-site residence or confinement, adult day care, alcohol recovery facilities, and parolee rehabilitation services.</p>	<p>CUP in most commercial and industrial districts</p>	<p>N/A</p>	<p>Yes - spaced from Correctional Placement Center, Adult Entertainment,</p>	<p>Social Service Institutions Social Service Institutions may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article I (Base Zones) subject to the following regulations. (a) The design of the structures shall incorporate a variety of architectural elements that help to diminish building bulk. (b) The location of larger structures, areas of high activity, and parking areas shall be planned to minimize impacts to surrounding development that is smaller in scale and less intense. (c) Off-street parking shall be sufficient to serve the facility without impacting adjacent or nearby property</p>

Pittsburgh, PA	Panhandling			Community Center - Adult Uses, Amusement Arcade,	
	COMMUNITY OUTREACH SERVICES shall be defined as: public or private sector provider that offers residential and/or rehabilitative medical or social service assistance, including but not limited to mental health treatment, drug or alcohol rehabilitations, or homeless assistance services for individuals in need thereof. The Mayor shall determine what service providers constitute an eligible Community Outreach Service provider for purposes of this Section.				
Los Angeles, CA	Philanthropic Institution: A nonprofit, charitable institution devoted to the housing, training or care of children, or of aged, indigent, handicapped or underprivileged persons, but not including the following: office buildings, except as an accessory to and located on the same lot with an institutional activity, as listed above; hospitals, clinics or sanitariums, correctional institutions, institutions or homes for the insane or those of unsound mind; lodging houses or dormitories providing temporary quarters for transient unemployed persons; organizations devoted to collecting and salvaging new or used materials, or organizations devoted principally to distributing food, clothing or supplies on a charitable basis.	PI: R4, R5, CI and C4	No		
	RESCUE MISSION	C2, C4 and C5	Yes - required accessory		