



**Request for City Council Committee Action
Health Department**

Date: December 8, 2014

To: HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT
COMMITTEE

Subject: PUBLIC HEARING TO AMEND FOOD CODE ORDINANCE RELATED
TO REQUIREMENTS FOR GROCERY STORES

Recommendation:

Public hearing on amending Title 10, Chapter 203 of the Minneapolis Code of Ordinances relating to *Food Code: Grocery Stores*, amending various provisions including those related to minimum sales floor area and off-street parking spaces.

Previous Directives: Referred to staff from City Council on November 14, 2014.

Prepared or Submitted by: Becky McIntosh, Director of Planning & Administration
Phone: x2884

Approved by:

Gretchen Musicant, Commissioner of Health

Permanent Review Committee (PRC): Approval ____ Not Applicable X
Policy Review Group (PRG) Approval ____ Date of Approval ____ Not Applicable X

Presenters in Committee: Gretchen Musicant, Commissioner, Minneapolis Health Department; Kristen Klingler, Senior Public Health Specialist, Minneapolis Health Department

Financial Impact (Check those that apply)

X No financial impact (If checked, go directly to Background/Supporting Information).

Background/Supporting Information Attached

The Minneapolis Code of Ordinances, Title 10 Food Code, Chapter 203: Grocery Stores, contains language that requires licensed grocery stores to provide and maintain a minimum sales floor area of two thousand (2,000) square feet and a minimum of four (4) adjoining off street parking spaces. The public hearing is set to authorize the following amendments: 1) replace the current minimum sales floor area requirement in Section 203.20 (a) with the following requirement: "All grocery stores not located on a commercial corridor shall provide and maintain a sales floor area of two thousand (2,000) square feet unless granted a waiver by the City Council", and 2) eliminate the current off-street parking space requirement in Section 203.20 (b).

Under Title 10, Chapter 203.20(a) of the Minneapolis Code of Ordinances, a licensed grocery store must be at least 2,000 square feet and maintain four adjoining off-street parking spaces. Smaller stores may

qualify for an “accessory use grocery” exemption, but the intended use of the accessory category is to license stores that do not sell food as their main business; further, accessory groceries may not accept government supplemental nutrition assistance (e.g. SNAP and WIC). Small stores that view selling food as their main business and consider SNAP and WIC to be a vital part of their business model cannot be designated as an accessory use grocery and also cannot meet the current size and parking requirements for licensed grocery stores. Because they cannot meet the requirements of either category, small grocery stores, such as corner stores serving specific cultural communities, will not be able to operate as a licensed business in Minneapolis.

In 2008, when the original staple foods ordinance was adopted, the language related to minimum sales floor area and parking spaces was included in order to ensure that licensed grocery stores were operating in a manner consistent with a food retail store. Recent amendments to the ordinance’s staple foods requirements and “specialty food store” exemption have created better standards by which to ensure that licensed grocery stores are operating appropriately. In addition, Chapter 203 is the only instance within the licensing code where size and parking requirements are articulated. By removing the parking requirement and modifying the size requirement, Chapter 203 will be more consistent with the rest of the code of ordinances and allow small food retail stores to continue operating as licensed grocery stores.