INCREASING ACCESS TO HEALTHY FOOD
Linking Planning Goals & Implementation Actions
This publication was prepared by the Public Health Law Center at Mitchell Hamline School of Law, St. Paul, Minnesota, made possible with funding from the Minnesota Department of Health. The Center thanks the following for their review of a draft of this resource: Minnesota Department of Health Statewide Health Improvement Partnership staff and grantees; and Nadja Berneche, Terra Soma, LLC.

The Public Health Law Center provides information and legal technical assistance on issues related to public health. The Center does not provide legal representation or advice. This document should not be considered legal advice.

Copyright © 2019 Public Health Law Center

@PHealthLawCtr

publichealthlawcenter

youtube.com/PublicHealthLawCenterSaintPaul

Local Plan Implementation Toolkit

This resource is one of several included in a toolkit intended to help those seeking to improve health through local community planning efforts. It can be used separately or in conjunction with other toolkit resources. The Local Plan Implementation Toolkit includes the following resources:

- Local Plan Implementation Overview
- Local Plan Implementation Worksheet
- Increasing Access to Healthy Food: Linking Planning Goals & Implementation Actions
- Implementing Local Plans: Identifying and Working with Community Partners
- Local Plan Implementation Evaluation Guide

January 2019
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>USING THIS RESOURCE</td>
<td>4</td>
</tr>
<tr>
<td>GENERAL FOOD SYSTEM PLANNING</td>
<td>6</td>
</tr>
<tr>
<td>FOOD PRODUCTION</td>
<td>9</td>
</tr>
<tr>
<td>Maintaining and preserving existing agricultural land</td>
<td>9</td>
</tr>
<tr>
<td>Expanding food production</td>
<td>10</td>
</tr>
<tr>
<td>Protecting pollinators</td>
<td>10</td>
</tr>
<tr>
<td>PROCESSING AND PREPARING FOOD</td>
<td>13</td>
</tr>
<tr>
<td>GETTING TO HEALTHY FOOD SOURCES</td>
<td>15</td>
</tr>
<tr>
<td>REDUCING HUNGER AND FOOD INSECURITY</td>
<td>20</td>
</tr>
<tr>
<td>FOOD SURPLUS AND WASTE MANAGEMENT</td>
<td>22</td>
</tr>
<tr>
<td>Donating unused food to those in need</td>
<td>22</td>
</tr>
<tr>
<td>Inedible food waste</td>
<td>23</td>
</tr>
<tr>
<td>Food packaging</td>
<td>23</td>
</tr>
<tr>
<td>ENDNOTES</td>
<td>25</td>
</tr>
</tbody>
</table>
Using this Resource

Local planning efforts can have a significant impact on the health of residents by impacting their ability to access affordable, healthy food. These planning efforts can support the resiliency and sustainability of local food systems by supporting new food production, distribution, processing, and retail enterprises; creating new jobs; bringing money into a community; and becoming cornerstones of a resilient local economy.

This resource links specific local plan goals with potential implementation actions that can be used to support healthy eating priorities. Communities can draw from these examples to identify possible partners and concrete actions in pursuit of local planning goals to increase healthy eating and related active transportation efforts.
Please note: This resource is not prescriptive, nor is it inclusive of all possible ways community health goals can be achieved. The goals and actions are not presented as a formula, but suggested as ideas that could be used for communities seeking to improve access to healthy food. As local plans are developed, implementation goals and actions should reflect the unique goals, resources, and needs of each community.

Food Access and Local Planning Goals

The Minnesota Food Charter’s Food Access Planning and Health Equity Guides provide tools, resources, policy strategies, and planning and zoning language to support efforts to create communities that promote equitable access to healthy, safe, affordable food. This toolkit can be used to supplement information included in these Guides.

The Food Access Planning Guide indicates that the objective of implementation is to “translate health vision into on-the-ground change” and identifies three key aspects of successful plan implementation:

- Partner with funders to initiate and sustain programs and implement policies (e.g., zoning codes, design guidelines, area/specific plans) in support of goals outlined in the local plan.
- Educate elected officials and other decision-makers about the goals of the plan and the steps needed to achieve its vision.
- Work with experts and consultants to ensure that other community planning and zoning documents are updated to reflect the goals and priorities included in the new local plan.
General Food System Planning

Local plans impact access to healthy, affordable food by addressing connections between land use, natural resources, transportation, housing, solid waste management, community parks and open space, economic development, and other areas of physical development.

**PLAN GOAL:** Establish and maintain a food policy council, network, or healthy food coalition.

**POSSIBLE IMPLEMENTATION ACTIONS**

Develop a food council/network:

- Determine the structure and responsibilities of the council/network.
- Ensure the group's mission statement includes reducing food insecurity and hunger in the community as central to its work.
- Include diverse community members in the group, including those with personal experience with hunger and food insecurity.
Once the council/network is established:

- Engage in collaborative efforts that address the root causes of hunger.
- Conduct a local food assessment, and identify specific neighborhoods and populations at risk of hunger and food insecurity.
- Raise awareness of food issues, such as the lack of healthy food retail options and the inability of some residents to access or afford healthy food.
- Establish a communication pathway between the food council/network and planning department to share information.

**What is a Food Policy Council, Network, or Coalition?**

**Food networks and coalitions** are usually community-based, cross-sector groups of individuals and organizations that work together to learn about and/or solve complex issues related to the food system.\(^3\)

These groups often examine how the local food system operates and can be charged with providing policy recommendations to improve that system. They are often made up of a diverse group of local and regional stakeholders who have an interest in or are impacted by different parts of the local food system.\(^4\)

**PLAN GOAL:** Incorporate access to healthy food in planning documents and municipal policies.

**POSSIBLE IMPLEMENTATION ACTIONS**

- Identify and engage community stakeholders impacted by the plan but not included in the development and implementation of previous plans.
- Develop partnerships between public health, planning, and other local government departments.
- Incorporate food access needs into existing or anticipated small area plans or local topical plans.
- Prioritize equitable access to healthy food and the needs of all stages of the local food system when making land use decisions through zoning and planning.
- Develop a “Safe Routes to Healthy Food Plan” linking transit, active transportation, and food access.
Conduct a local policy scan to assess how local ordinances impact access to food and identify opportunities to support food access goals.

Include urban agriculture or community gardening into the community’s Parks and Recreation Plan.

**PLAN GOAL:** Support economic development by strengthening the local and regional food system and entrepreneurship.

**POSSIBLE IMPLEMENTATION ACTIONS**

- Encourage public institutions to purchase food from local food establishments when catering meetings or other events, and use local food businesses in concessions and cafeterias in public buildings.

- Develop marketing materials for locally and regionally produced food to raise awareness of local food businesses.

- Partner with workforce development and training organizations to train new food system workers.

- Support living-wage jobs and higher minimum wages to ensure that community members can afford healthy food.
Food Production

Food production involves growing and harvesting fruits and vegetables and raising or keeping animals and insects for both food and pollination.

Local plans can support food production by including goals and actions addressing the following areas:

Maintaining and preserving existing agricultural land

Maintaining existing agricultural land is necessary to preserve food production in a city, county, or region. In some areas, agricultural land is plentiful, while in other, more developed areas, open space for agriculture is limited and expensive. Preserving existing agricultural land from development can support the ability of nearby residents to buy locally or regionally grown healthy food.
Expanding food production
Identifying opportunities to expand food production into new areas, including residential areas, abandoned lots and rooftops, can lead to healthier eating and local food production opportunities.

Protecting pollinators
Pollinators are essential to the production of food through pollination, which is necessary for plant reproduction and the growth of many fruits and vegetables. Populations of bees and other pollinators have been in decline in Minnesota and across the country. Land use practices minimizing the use of chemicals while encouraging native plants on municipal, residential, and commercial properties can support the health of pollinators.

PLAN GOAL: Protect prime agricultural land.

POSSIBLE IMPLEMENTATION ACTIONS

- Identify and map high-quality agricultural land for preservation.
- Prevent the loss of agricultural land to development through the transfer or purchase of development rights, easements, and creation of an agricultural preservation district.
- Encourage future development in already developed areas through the use of zoning standards and incentives.
- Ensure that local zoning codes recognize agricultural land as a preferred use rather than as an interim use of land.
- Create an urban growth boundary.

PLAN GOAL: Expand and support local agriculture & small-scale food production.

POSSIBLE IMPLEMENTATION ACTIONS

- Work with state government to support soil testing and clean up for small-scale food production.
- Support residential gardening and food production activities.
- Review city ordinances and zoning codes to identify gaps impacting local agriculture, including community gardens, market gardens, urban farms, aquaponics, bee-keeping, and other food production activities.
- Update zoning ordinances to clearly state where food production is allowed and under what conditions.
Allow edible plants in boulevards between sidewalks and roads and in front yards, so long as visibility and other nuisance concerns are addressed.5

Establish conditional use standards that allow food production in a greater number of zones.

Create new community gardens, market gardens, and urban farms.

Create an agriculture overlay district to create consistency in how local agricultural practices are regulated across different zoning districts and municipalities.

Use brownfield remediation programs to convert old industrial sites to agricultural uses.

Assess the feasibility of using rooftops and vacant lots for food production.

Partner with community gardens, market gardens, and local farms to educate potential gardeners and create a local food production culture.

Create agricultural districts in suburbs and urban fringe areas that support small-scale food crop production and distribution.

Allow structures necessary for crop production and season extension.

Use business finance tools, property tax relief, and low-cost water access to make urban and local farming more affordable for new farmers.

Create or expand loan and grant programs to help with the start-up and capital costs associated with the creation of new farms and gardens.

Support gardens by providing free or reduced cost soil testing, compost, and water.

Allow community gardens on public land, such as parks, right-of-way, and abandoned land.

Adopt policies that clarify regulations for new forms of agriculture such as aquaponics, food forests, or foraging on public lands.

PLAN GOAL: Support pollinators through land use practices.

POSSIBLE IMPLEMENTATION ACTIONS

Ensure homeowner associations allow residents to have pollinator-friendly landscapes.

Allow pollinator-friendly yards in residential areas, while distinguishing between pollinator-friendly landscapes and unmaintained lawns.

Create, protect, and enhance pollinator habitat in public transportation corridors, rights of way, parks, and other public properties.

Distribute pollinator-friendly plant seeds.
Include pollinator habitat in wetland projects, conservation easements, agricultural conservation projects, and water quality projects.

Train staff in best management practices for the maintenance of pollinator-friendly landscapes.

Distribute educational materials on how to make yards, gardens, parks, and agricultural land pollinator-friendly.

Limit the use of systemic pesticides and herbicides:

- Prohibit the use of plants treated with neonicotinoids and general pesticide use on public lands.
- Require “verification of need” for use of neonicotinoid pesticides.
- Review pesticide product labels and implement restrictions, as appropriate, to minimize the impact on pollinator communities.
- Increase inspections and enforcement of label requirements for pesticides that are toxic to pollinators.
- Develop pesticide use policies and training on pesticide use to minimize the impact of pesticide use on pollinators and other wildlife.
Processing and Preparing Food

Processing and preparing food involves turning fresh produce, honey, meat, fish, and other foods into forms ready for sale. This can include processing and preparing food for restaurants (and other commercial settings), and value-added processing that changes the physical form of the product (e.g., making berries into jam), and packaging.

Local plans can support small-scale, local food processing efforts by allowing cottage food and small-scale food processing and preparation activities in different zones, while also ensuring that public health and nuisance issues are not created. Cottage foods, which are homemade goods that are not subject to government inspection, can be regulated under local laws.

Many locally grown food products can be sold directly to customers, but some products need to be processed before sale. For example, products, such as jams, jellies, and pickles require processing before sale and may be subject to more regulation than unprocessed fruit and vegetable products.
PLAN GOAL: Support small-scale food processing facilities.

POSSIBLE IMPLEMENTATION ACTIONS

- Improve the availability of commercial kitchens for small-scale food producers.
  - Expand zones where commercial kitchens are allowed.
  - Distribute resources informing local producers of the availability of commercial kitchens and food processing facilities.

- Allow small-scale cottage food operations in residential areas with limitations necessary to protect neighboring properties.

- Provide training and information to diverse community stakeholders on local cottage food regulations, the licensing process for food processors, food safety, and other food processing and food preparation issues.

- Conduct outreach to community stakeholders at commercial kitchens, local nonprofits, farmers’ markets, and other community settings to identify needs in local food processing and preparation.

- Provide financial and technical assistance to help small-scale processors get through the licensing process.

- Allow on-farm processing of products grown on farms.
Getting to Healthy Food Sources

For people to eat healthy food, they must be able to get to healthy food vendors or retailers, or have systems in place to bring healthy food to them. These systems include various facilities, activities, and other practices that can impact the accessibility, availability, delivery options, and affordability of community food access points.

A community’s built environment affects whether and how its members can access healthy food. In some areas, food retail options are separated from residential areas by highways and multi-lane boulevards that are unsafe to cross by foot. In many areas, food retail stores are located far away from where people live. Zoning regulations can exacerbate this problem by separating retail from residential land uses. It may be difficult to get healthy food without
owning an automobile, especially in areas without sidewalks, bike lanes, or public transit. Some communities only have access to corner stores and convenience stores, which generally offer a limited variety of healthy foods. In many communities, healthy eating may be limited by the price of healthy food, or by the convenience of unhealthy food such as fast food.

**PLAN GOAL:** Identify and address challenges in the built environment that limit access to food.

### POSSIBLE IMPLEMENTATION ACTIONS

- Support collaboration between local farmers’ markets and school gardening initiatives, including sale of garden produce.
- Include incentives for active transportation facilities, green space, and healthy food outlets in planned unit developments.
- Prioritize mixed-use development zoning codes to allow healthy food outlets with residential settings and other community connections.
- Support the operation of farmers’ markets near public, low-income, student, and senior housing developments.
  - Map the location of current farmers’ markets and proximity to public, low-income, student, and senior housing.
  - Identify sites without access to farmers’ markets.
  - Assess the feasibility of developing farmers’ markets within walking distance of underserved areas, public housing developments, and public transportation hubs.
- Identify areas with limited food retail options and assess local zoning or other ordinances that may restrict food retail options.
- Identify opportunities to increase mixed-use development in areas with low-income, student, and senior housing developments:
  - Identify current residential areas which would benefit from the inclusion of food retailers.
- Update the zoning code to support mixed-use development.
- Use mobile food retailers to bring healthy, affordable food to low-income neighborhoods, student housing, seniors, and others with limited mobility options.
- Prioritize access to food retailers and gardening space in new housing developments.
- Allow the use of taxis, car-sharing, and grocery delivery services for food purchases in high-density residential or mixed-use developments.
Incorporate multi-modal connections to food resources in complete streets policies and alternative transportation plans.

Streamline the permitting process for grocery stores and other healthy food vendors in underserved areas.

**PLAN GOAL:** Ensure healthy food purchases are convenient and affordable.

**POSSIBLE IMPLEMENTATION ACTIONS**

- Create mixed-use districts that limit unhealthy and fast food vendors when revising the zoning code.
- Identify areas that lack access to nearby healthy food vendors or affordable transportation to healthy food outlets.
- Work with local grocery delivery services to waive or reduce service fees for EBT and WIC recipients.
- Explore opportunities to expand access to online grocery delivery ordering at local food shelves and other social service delivery locations.
- Allow local social service agencies to coordinate grocery delivery by assisting clients in ordering groceries online.
- Identify communities that rely on corner or convenience stores for food.
- Adopt a staple food ordinance requiring all food vendors to carry staple foods and fresh produce.
- Ensure SNAP benefits and other food assistance benefits are allowed at farmers’ markets and other healthy food retailers.
- Develop outreach to low-income individuals about the use of food assistance vouchers at local healthy food outlets.
- Support Market Bucks initiatives to double the value of SNAP and other food vouchers at local farmers’ markets.
- Provide underserved areas with fresh food through the use of consumer supported agriculture (CSA).
  - Identify drop off points within underserved communities.
  - Educate residents on how to utilize CSA fruits and vegetables.
  - Provide alternative payment options for low-income residents.
Limit the number of unhealthy food options near schools through zoning measures that restrict fast food and unhealthy food outlets.

Provide healthy food options in parks and other public spaces.

Develop nutrition standards for concessions, vending, and activities in public recreational settings.

**PLAN GOAL:** Ensure bicycle and pedestrian facilities connect consumers with healthy food sources.

**POSSIBLE IMPLEMENTATION ACTIONS**

- Improve walkability in neighborhoods with grocery stores and farmers’ markets.
- Ensure bike parking is available at local farmers’ markets, grocery stores, and other healthy food outlets.
- Develop a Safe Routes to Healthy Food initiative to identify needs and gaps in the active transportation system impacting food access.
- Assess and map connectivity of pedestrian paths, bike paths, and transit routes to sources of healthy food and to hunger relief services.
- Identify communities and neighborhoods with low car ownership.
- Identify the safety and comfort concerns of community members traveling along active transportation paths and transit routes.

**PLAN GOAL:** Ensure transit links residential neighborhoods and healthy food outlets.

**POSSIBLE IMPLEMENTATION ACTIONS**

- Provide secure bicycle parking near transit stops.
- Install bicycle racks on transit vehicles.
- Incentivize affordable, healthy food vendors and hunger assistance programs along existing transit routes.
- Link pedestrian and bicycle facilities with transit stops, housing developments, and healthy food outlets.
- Provide signs, maps, and other resources indicating how pedestrian and bicycle infrastructure connects to transit and healthy food outlets.
Assess need for new transit routes to ensure neighborhoods have access to food retail, especially for low-income and underserved areas.

Conduct a study of food vendors located near existing transit routes to assess what foods are offered, the affordability of healthy food options, and the purchasing habits of customers at these locations.

Ensure that transit services support healthy food purchases:

- Remove restrictions on the number of bags transit users can carry.
- Provide space for storing full grocery bags on transit.
- Increase the frequency of transit services during off-peak and weekend hours when farmers’ markets are open.
- Provide transit services connecting users to food retail during off-peak hours and the weekends.
Reducing Hunger and Food Insecurity

Minnesotans are not all on a level playing field when it comes to access to healthy food and experiences with diet-related illness. Persistent food insecurity and hunger can lead to lower quality of life. They can affect physical and mental health, educational achievement, financial security, and social well being. See Hunger and Planning Resource for additional info.

PLAN GOAL: Remove challenges to using food assistance programs to purchase healthy food.

POSSIBLE IMPLEMENTATION ACTIONS

- Increase the number of local, healthy food retailers and fresh food outlets that accept EBT and WIC.
- Conduct outreach to low-income residents about the use of EBT and WIC benefits to purchase healthy foods.
- Collaborate with organizations to develop programs that increase the ability of shoppers to use electronic forms of payment at farmers’ markets, farm stands, and healthy food retail outlets.
PLAN GOAL: Increase donations of healthy food to food shelves/banks, including culturally appropriate foods.

POSSIBLE IMPLEMENTATION ACTIONS

- Connect food shelves with home and community gardens, farmers’ markets, and small-scale, collaborative food production initiatives.
- Coordinate with institutions and food/agricultural non-profit organizations for service delivery and program support.
- Promote the use of locally produced food in hunger-relief programs.

PLAN GOAL: Conduct a community food assessment to determine possible vulnerabilities in the community food system.

POSSIBLE IMPLEMENTATION ACTIONS

- Conduct a baseline food accessibility assessment to determine where food can be acquired and how accessible that food is to all community members.
- Conduct a community survey that addresses the community’s experiences with food access, including transportation, availability, and affordability.
- Complete a Resilience or Emergency Preparedness Plan that includes food access and hunger relief as an element.
- Identify specific community neighborhoods or populations that may be at increased risk of hunger in the event of a disruption in food supply.
- Determine whether food banks and food shelves are meeting the community’s hunger relief needs.

PLAN GOAL: Engage in collaborative efforts that address the root causes of hunger.

POSSIBLE IMPLEMENTATION ACTIONS

- Engage with local economic development councils, workforce development agencies, employers, and local healthcare providers to focus hunger relief efforts on lower-wage employees.
- Assess and plan for the needs of community members to access healthy, affordable food as they age.
- Support alternative grocery delivery options for low-income residents.
- Invest in innovative food distribution models, including grocery delivery services, reduced-cost mobile markets, and mobile food shelf delivery, through partnerships with local businesses and social service agencies.
Food Surplus and Waste Management

Local plans can support effective management of food surplus and food waste through goals and actions that reduce the amount of food surplus generated, encourage the donation of unused food to those in need, reprocess inedible food waste, and reduce food packaging.

Donating unused food to those in need

The best way to reduce the amount of unused food going into the solid waste stream is to reduce the volume of food being thrown out in the first place. Nationwide, an estimated 30 to 40% of food is wasted or thrown away and in Minnesota, food waste made up 17.8% of the total waste stream by weight in 2013. At the same time, approximately 12% of American households (about 41 million people) had difficulty providing enough food for all their members due to a lack of resources at some time during 2016. Food manufacturers, supermarket chains,
wholesalers, farmers, restaurants, caterers, dining rooms, and hotels can donate food to those in need while reducing the amount of waste entering the waste stream.

**Inedible food waste**

Some food waste may be appropriate to feed animals, composting for large fields, producing biogas or soil amendment, or creating biodiesel. Each of these uses diverts food waste from landfills or incinerators and can save money for multiple partners involved in waste disposal.

**Food packaging**

A reduction in the amount of food packaging entering the waste stream has environmental and health benefits. This waste can be reduced through reusable food packaging and shopping bags. Other food packaging can be made of compostable or recyclable materials.

**PLAN GOAL:** Reduce the amount of food surplus generated.

**POSSIBLE IMPLEMENTATION ACTIONS**

- Use the EPA’s *Food: Too Good to Waste Implementation Guide and Toolkit* to educate community members and businesses about how to reduce food waste.

**PLAN GOAL:** Increase the distribution of unused food to those in need.

**POSSIBLE IMPLEMENTATION ACTIONS**

- Remove policies that prohibit or limit donations of unused food to hungry people.
- Identify community partners who may have sources of unused food.
- Educate community food donors regarding the federal Bill Emerson Good Samaritan Food Donation Act and similar state laws which protect donors from liability.
- Incentivize and encourage food donation from local businesses and farmers.
- Collaborate with direct service organizations providing food to those in need to identify what types of food are needed.

**PLAN GOAL:** Use inedible food waste for agricultural and industrial uses.

**POSSIBLE IMPLEMENTATION ACTIONS**

- Identify local livestock or poultry farmers who will accept animal-derived and vegetable waste that has been heat-treated by a licensed facility.
Incentivize/require public schools, universities, and government institutions to collect food waste from food prepared or consumed on site for delivery to local farms or industries.

Install anaerobic digesters at waste treatment facilities to turn food waste into biogas and soil amendment.

Enforce heat treatment for food waste intended for animal consumption.

Follow existing federal and state regulations on feeding food waste to animals, including the FDA’s Ruminant Feed Ban Rule.13

**PLAN GOAL:** Provide organic waste disposal services.

**POSSIBLE IMPLEMENTATION ACTIONS**

- Allow on-site, small-scale composting that can accommodate food production activities, such as community and school gardens.
- Ensure that the size of permissible composting containers is not overly restrictive while preventing any nuisances.
- Provide a local drop off site for organic waste.
- Provide organic waste pickup as part of municipal and private waste hauling services for single and multi-family homes, institutions, businesses, and government facilities.
- Provide incentives and technical assistance to local businesses for organics recycling.
- Promote educational opportunities for residents, businesses, schools, and non-profits on how to separate organics from trash for pickup.
- Provide bins and educational material for onsite composting.

**PLAN GOAL:** Reduce solid waste from food system activities.

**POSSIBLE IMPLEMENTATION ACTIONS**

- Charge a fee for each plastic or paper bag used for groceries or carryout.
- Require use of recyclable or compostable food containers for takeout.
- Conduct a waste characterization study to identify opportunities to reduce solid waste disposal from food waste, compostable materials, and food packaging waste.
Endnotes

1 The implementation strategies in this resource were adapted from existing comprehensive, food system, and sustainability plans, in addition to non-plan based initiatives from Minnesota cities and towns, cities with established urban agriculture initiatives (Chicago, IL; Madison, WI; Seattle, WA; Philadelphia, PA; and others), and general food systems documents such as the Minnesota Food Charter’s Food Access Planning Guide.


The Public Health Law Center helps create communities where everyone can be healthy. We empower our partners to transform their environments by eliminating commercial tobacco, promoting healthy food, and encouraging active lifestyles.

www.publichealthlawcenter.org