Feeding Communities in the Face of Adversity: Municipal Emergency Planning & Policy Options for Healthy Food Access

Wednesday May 27, 2020
Webinar Overview

• What is the Healthy Food Policy Project?

• Preparing for food access disruptions with comprehensive plans and other local planning tools

• Legislative and administrative policy actions to provide access to healthy food during emergencies; additional resources for planners, food policy councils, and policymakers

• Looking forward

• Q&A

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Economic Development Manager, East Central Florida Regional Planning Council

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Identify and elevate local laws that seek to promote access to healthy food, and also contribute to strong local economies, an improved environment, and health equity, with a focus on socially disadvantaged and marginalized groups.
Key Definitions

HEALTHY FOOD

Food that is minimally processed; fresh, frozen, or canned produce that has little, if any, added sugar, salt, or fat; food that is culturally relevant; food that meets evidence-based nutrition standards; food that is both nutritious and safe to eat.
Key Definitions

ACCESS

Food is accessible when it is affordable, and community members can readily grow or raise it; find it; obtain it; transport it; prepare it; and eat it.
Key Definitions

HEALTH EQUITY

The absence of disadvantage in chronic disease-related health outcomes regardless of one’s race or ethnicity, religion, socioeconomic status, gender, age, or mental health; cognitive, sensory, or physical disability; sexual orientation or gender identity; and/or geographic location.
Policy Database
A curated, searchable database of healthy food policies at the local level around the United States, analyzed by HFPP.

Learn More

Food System Crosswalk
A resource showing how food policy laws intersect with components of the food system, which HFPP defines as Grow, Process, Distribute, Get, Make, and Surplus/Waste Management.

Learn More

Case Studies
In-depth case studies that showcase healthy food policy initiatives, and the people and communities that developed them.

Learn More
### COVID-19 Local Food Access Policy Index (sorted by "Policy Type" then by "State" and "Jurisdiction")

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dedicated Business Hours for Priority Populations</td>
<td>Alabama</td>
<td>Mobile</td>
<td>Mobile, Alabama, Order of the Mayor: Guidelines for Retail and Grocery Stores (Apr. 1, 2020)</td>
<td><a href="https://www.cityofmobile.org/uploads/2020/04/12/12/Mobile_GrocerOrder_040220.pdf">https://www.cityofmobile.org/uploads/2020/04/12/12/Mobile_GrocerOrder_040220.pdf</a></td>
<td>This order directs retail and grocery stores in the City of Mobile to institute certain guidelines, including reserving &quot;exclusive hours for those in high-risk populations, including seniors, where stores will limit their capacity to 40% of fire capacity at any time,&quot; along with other social distancing and sanitation measures.</td>
</tr>
<tr>
<td>Dedicated Business Hours for Priority Populations</td>
<td>California</td>
<td>Los Angeles</td>
<td>Los Angeles, California, Ordinance No. 186587 (Mar. 31, 2020)</td>
<td><a href="http://clerk.lacity.org/ordinadocs/2020/04/01/200401LS1_ORD_186587_0403-2020.pdf">http://clerk.lacity.org/ordinadocs/2020/04/01/200401LS1_ORD_186587_0403-2020.pdf</a></td>
<td>This ordinance adds Article 2-72TT to Chapter XX of the Los Angeles Municipal Code to require retail food stores to dedicate the first hour, or in the case of a store that is open 24-hours, at least one hour in the morning, exclusively to customers who are elderly or disabled (and operators of congregate living homes that serve the elderly and disabled). This text language notes that this requirement will allow the elderly and disabled to shop for their daily necessities without waiting in long lines and before the general public</td>
</tr>
</tbody>
</table>
The Role of Planners in the Development of Resilient Food Systems

Luis Nieves-Ruiz, AICP
Economic Development Manager
East Central Florida Regional Planning Council
PLANNER’S ROLE IN FOOD SYSTEMS

• Specific Use Siting/Standards
• Land Use Policies
• Community Convening
• Technical Assistance
LAND USE REGULATORY BARRIERS
FOOD SYSTEMS PLANNING CHALLENGES

• Rapid Urbanization
• Euclidean Zoning Codes
• Centralization of Food Production
• State Preemption Laws
LONG RANGE PLANNING TOOLS

• Asset Mapping
• Urban Growth Boundary
• Transfer of Development Rights
• Special Districts
LAND USE ASSESSMENTS

• Identify jurisdiction’s land uses for Comprehensive Plan update

• Use GIS software to map distribution of agricultural properties
FOOD ASSETS INVENTORY

• Develop food assets database
• Use GIS to map the location of these uses
• Help public visualize expanse of food systems
URBAN GROWTH BOUNDARIES

• Set to control urban sprawl
• Urban development inside boundary
• Preservation/farmland outside boundary
TRANSFER OF DEVELOPMENT RIGHTS

- Purchase property’s development rights within "sending district"
- Transfer rights to "receiving district" to increase development density
FOOD INNOVATION DISTRICTS

• Concentration of complementary food-related businesses and activities

• Promote economic growth and increase access to healthy locally-grown foods
CURRENT PLANNING TOOLS

• Zoning Codes
• Other Municipal Regulations
• Subdivision Development
FOOD SYSTEMS ZONING USES

• Agriculture
  • Community Gardens
  • Urban Agriculture

• Processing
  • Artisanal Foods
  • Other Processing

• Retail and Distribution
  • Farmers’ Markets
  • Farm Stands
OTHER MUNICIPAL REGULATIONS

Backyard Chicken Ordinance

Home Landscape Ordinance
DEVELOPMENT TYPES: AGRIHOODS

• Residential development that integrates agriculture as a community amenity
• Facilitate food production while providing recreation for residents
PLANNING FOR FOOD RESILIENCY

• Identify gaps and opportunities
• Integrate food uses into zoning codes
• Eliminate regulatory barriers
• Provide technical assistance to food stakeholders
MUNICIPAL COVID-19 FOOD ACCESS POLICIES

LOCAL GOVERNMENT POLICIES TO SUPPORT FOOD ACCESS DURING THE COVID-19 PANDEMIC – AN INDEX

This index includes formal municipal policies* that accelerate, prioritize or facilitate food access during the COVID-19 pandemic and other emergency periods through measures that:

a) waived ordinary non-emergency time policies and/or
b) specifically prioritize health and/or equity considerations.

School district policies and other special board policies are not included. Policies that merely define food establishments, such as restaurants and grocery stores, as essential businesses or otherwise allow them to operate with or without modifications and other business closures are also excluded unless they emphasize activities for priority populations or access to fresh foods.

Written, regulatory, executive order and organizational policies that have been formally adopted or passed by a government entity (including ordinances, resolutions, staffed and administrative policies).

To access a sortable version of the index, please click the green 'Sortable Index Button' below, or on the top right corner of this page. If you know of a policy that we don't have yet, please click the blue 'Suggest a Policy Button' below.

<table>
<thead>
<tr>
<th>Policy Type</th>
<th>State</th>
<th>Jurisdiction</th>
<th>Policy</th>
<th>Policy Link</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Childcare and Nutrition</td>
<td>Arizona</td>
<td>Tolleson</td>
<td>Reopening of the Mayor of the City of Tolleson Executive Order - Address COVID-19, § 4 (Mar 17, 2020)</td>
<td><a href="https://www.tollesonaz.gov/13385/Stay-At-Home-Order-Relaxation">Policy Link</a></td>
<td>This proclamation sets forth mandates for reopening; it is subject to the proclamation's terms.</td>
</tr>
<tr>
<td>Childcare and Nutrition</td>
<td>California</td>
<td>Berkeley</td>
<td>Order of City Health Officer - COVID-19 (Mar 16, 2020)</td>
<td><a href="https://www.berkeley.ca.us/cms_files_if/attachment_403935.html">Policy Link</a></td>
<td>These provisions cover outdoor activities for certain communities.</td>
</tr>
<tr>
<td>Childcare and Nutrition</td>
<td>California</td>
<td>Los Angeles</td>
<td>City of Los Angeles and Public Health Order - City of Los Angeles - Emergency Authority (Mar 16, 2020)</td>
<td><a href="https://www.lacity.org/a/la-city/director-of-health-and-human-services">Policy Link</a></td>
<td>This order is part of the overall response to support specific establishments, including restaurants, groceries, and grocery stores.</td>
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</tbody>
</table>

*This index includes formal municipal policies*
What’s Not Included in the Index?

- School district policies and other special board policies
- Policies that merely let food establishments operate
- Efforts that are not created by formal municipal legislative, executive or administrative policy instrument
Types of Laws We’ve Identified

• Food supply chain & procurement laws
• Food support policies
• Laws that prioritize fresh food, food cultivation, hunting or fishing
• Priority population food procurement protections
• Special exemptions & allowances for food establishments
Types of Laws We’ve Identified (cont.)

• Supply Chain & Procurement Laws
  • Examples:
      • Grants authority to the Mayor to control, restrict and regulate food and other “necessities of life” by various means including rationing, issuing quotas, fixing or freezing prices, or allocating use, sale or distribution.
    • Atlantic County, New Jersey, Executive Order No. 2020-01, § 11(b) (Mar. 16, 2020)
      • Provides that the County is permitted to enter into new contracts to procure necessary goods or services, including but not limited to food supplies, without complying with New Jersey Public Contracts Law.
Types of Laws We’ve Identified (cont.)

• Food Support Laws
  • Examples:
    • Atlanta, Georgia, Executive Order 2020-06 (Mar. 15, 2020)
      • Directs the Chief Financial Officer to allocate up to $7 million in uncommitted general funds to be used for emergency assistance for "those affected by the COVID-19 pandemic," including $1 million for child food programs and $1 million for senior food programs.
    • Seattle, Washington, Ordinance 126063 (Apr. 1, 2020).
      • Amends the City’s 2020 Budget by allocating $5 million in Sweetened Beverage Tax (SBT) funds to create a new $5 million grocery voucher program.
Types of Laws We’ve Identified (cont.)

• Laws that Prioritize Fresh Food, Food Cultivation, Hunting or Fishing
  • Examples:
    • Anchorage, Alaska, Municipality Proclamation of Emergency "Hunker Down" Order EO-03 § 5(f) (Mar. 20, 2020)
      • Designates food cultivation, including fishing, hunting, farming, and livestock as "critical business" that are exempt from ordered business closures and are encouraged to remain open.
    • Pittsburgh, Pennsylvania, Resolution No. 2020-0298 (May 5, 2020)
      • Recognizes that urban farming will help “Pittsburgh neighborhoods to recover from the global COVID-19 pandemic and insulate communities against the impacts of future crises” and authorizes and directs the Directors of the Departments of Finance and City Planning to establish incentives that encourage and empower residents to create and maintain urban agriculture sites.
Types of Laws We’ve Identified (cont.)

• Priority Population Food Procurement Protections
  • Example:
    • Los Angeles, California, Ordinance No. 186587 (Mar. 31, 2020)
      • Adds a provision to the City’s municipal code to require retail food stores to dedicate certain shopping hours exclusively to customers who are elderly or disabled (and operators of congregate living homes that serve the elderly and disabled).
Types of Laws We’ve Identified (cont.)

• Special Exemptions & Allowances for Food Establishments
  • Examples:
    • Johnson County, Kansas, Emergency Order of Local Health Officer §§ 1(e)(ii); (v); (xiv); (Mar. 22, 2020)
      • Defines “essential businesses” that may continue during the County’s stay at home order to include e.g., food banks; businesses that offer food and “other necessities of life” for “economically disadvantaged or otherwise needy individuals”; and schools and other entities that typically offer food free food services to students and members of the public (provided they do so on a pick-up and take-away basis only).
    • Moorpark, California, Executive Order No. 2020-03, § 1 (Mar. 24, 2020)
      • Suspends various noise restrictions for food establishments engaged in receiving, preparing, processing, selling, or delivering food, produce, and other groceries, including restrictions related to loading and unloading of boxes, containers and materials between the hours of 10:00 p.m. and 7:00 a.m.
Other Areas of Municipal Policy Opportunity to Support Food Access During Emergency Periods

• Labor force protections for food supply chain
• Community-wide internet access
• Facilitation of community-wide mobile market and mobile pantry service
• Supports for local and regional food production
• “Safer” re-openings
A Few Other Resources

• National League of Cities Local Action Tracker
  • https://covid19.nlc.org/

• Resnick Center/UCLA School of Law Hugh and Hazel Darling Law Library Covid-19 and Food Law Resource Guide
  • https://libguides.law.ucla.edu/Covid-19andFoodLaw

• Change Lab Solutions Coronavirus Law & Policy Resources Page
  • https://www.changelabsolutions.org/blog/covid-19-resources
Preemption Resources

- The Public Health Law Center maintains a webpage with resources about preemption:
Looking Forward…

• How might today’s food systems policies fit into a new reality of…
  • Open space
    • Office buildings
    • Brick and mortar retail
  • Transportation networks
    • Changing commuting patterns
  • Preserving where we cultivate our food
    • Growing concern with density
    • Coordinated countywide efforts

Opinion

Will You Want to Go Straight Back Into the Crowd?

Planners once dreamed of cities with vast empty plazas and quiet streets. Post-pandemic, might they do so again?

By Richard J. Williams
Dr. Williams is a professor of contemporary visual cultures.

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Thank you for joining!

Visit www.healthyfoodpolicyproject.org

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