

Zoning for Healthy Food Access Varies by Community Income

Zoning and land use laws allow or prohibit different types of food outlets, such as supermarkets, farmers' markets, fast-food restaurants and convenience stores, in a community. As such, these laws affect people's access to healthy affordable foods.

This brief examines the extent to which local zoning ordinances allow food outlets within a community and whether the zoning provisions vary based on community income. The data were collected in 2010 from 175 communities from across the United States.

- *Zoning for fast-food restaurants, convenience stores, supermarkets and grocery stores was more prevalent than zoning for farmers' markets and fruit and vegetable stands.*
- *Lower-income communities were less likely to specifically permit non-store food outlets, such as farmers' markets or community gardens, in their zoning ordinances than were higher-income communities.*

Introduction

A healthy diet—one that includes a variety of fruits and vegetables, whole grains and lower-fat dairy products and a limited intake of added sugars and solid fats—helps to reduce the risk of obesity and chronic disease.¹ Yet, many families do not have access to healthy affordable foods in their neighborhoods. This is especially true in lower-income communities where convenience stores and fast-food restaurants are widespread but supermarkets and farmers' markets are scarce.²⁻⁴

Local governments can use their zoning authority to help encourage the development of supermarkets and other outlets that sell nutritious, affordable foods within a community. They may, for example, explicitly allow supermarkets and grocery stores; allow use of land or permits for farmers' markets or community gardens;⁵⁻⁸ or explicitly prohibit fast-food restaurants within certain areas.⁹ Explicitly including permitted uses for supermarkets and other healthy food outlets in local zoning regulations and ordinances removes administrative barriers to establishing their use. If a zoning ordinance is silent on a specific type of use or needs to be amended, property owners who wish to request a variance to the ordinance face a long burdensome process.^{10,11}

This brief examines the extent to which local (e.g., municipal and town) zoning ordinances permit a variety of food outlets in the community and whether the permitted uses vary based on community income. The zoning ordinances were collected in 2010 from 175 communities surrounding 154 public middle and high schools. The findings identify opportunities for strengthening local zoning ordinances and provide guidance for local policymakers and community advocates who are working to increase access to healthy foods, particularly in lower-income areas.

Key Findings

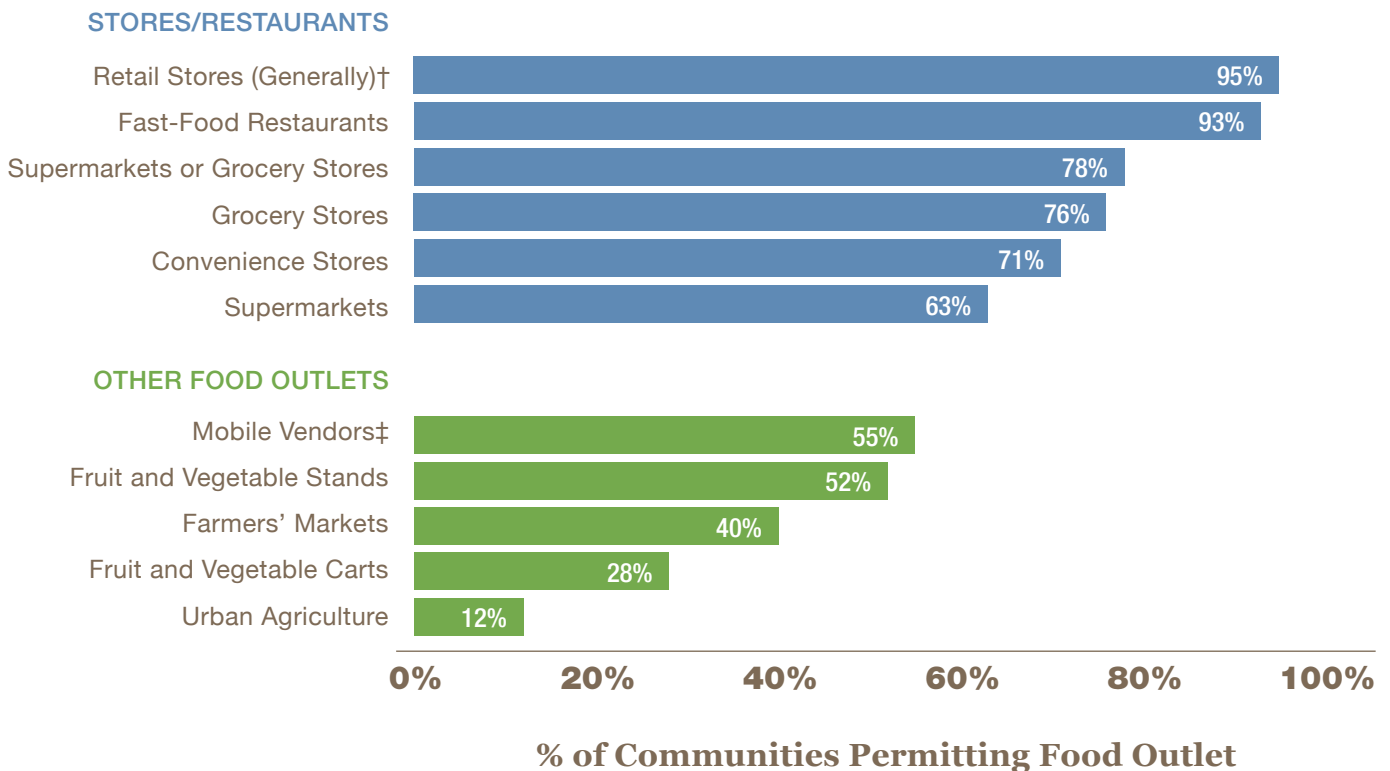
Local zoning ordinances were more likely to allow supermarkets, grocery stores, convenience stores, fast-food restaurants and retail stores than alternative outlets, such as farmers' markets or fruit and vegetable carts (see Figure 1).

- Nearly all communities permitted retail stores, such as “big box” and warehouse stores, and fast-food restaurants; more than 75 percent allowed supermarkets or grocery stores.

- While slightly more than one-half of communities permitted mobile vendors (e.g., food trucks; 55%) and produce stands (52%), far fewer allowed farmers' markets (40%), fruit and vegetable carts (28%) or urban agriculture, including community gardens (12%).



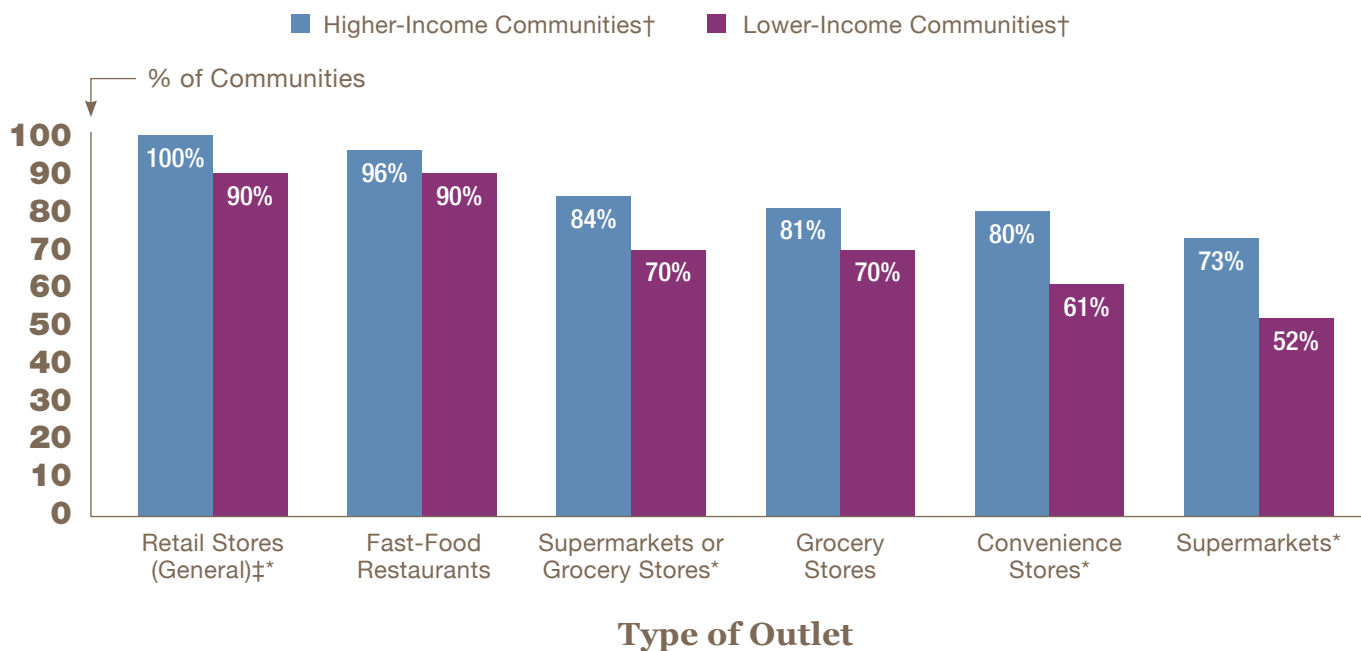
FIGURE 1 Percentage of Communities Permitting* Food Outlets in Their Zoning Codes, 2010



N=175 communities nationwide. *For this analysis, “permitted use” includes permitted and/or conditional uses.

†Retail stores include big box and warehouse stores. ‡Mobile vendors include food trucks.

FIGURE 2 Prevalence of Store and Fast-Food Restaurant Permitted Uses by Community Income, 2010



N=175 communities surrounding a national sample of public secondary schools.

†Families living in higher-income communities made on average \geq \$51,185/year; families living in lower-income communities made $<$ \$51,185/year.

‡Retail stores include big box and warehouse stores.

*Difference in permitted use by income status was significantly different at $p \leq .05$.

Permitted uses for food stores and other food outlets varied by the median household income of the community (see Figure 2).

- Lower-income communities were significantly less likely to allow supermarkets or grocery stores (70%) than were higher-income communities (84%).
- Lower-income communities also were less likely to allow retail and convenience stores than were higher-income communities.

Permitted uses for produce-specific outlets, such as farmers' markets, fruit and vegetable stands, and urban agriculture (e.g., community gardens), were significantly less common in lower-income communities (see Figure 3).

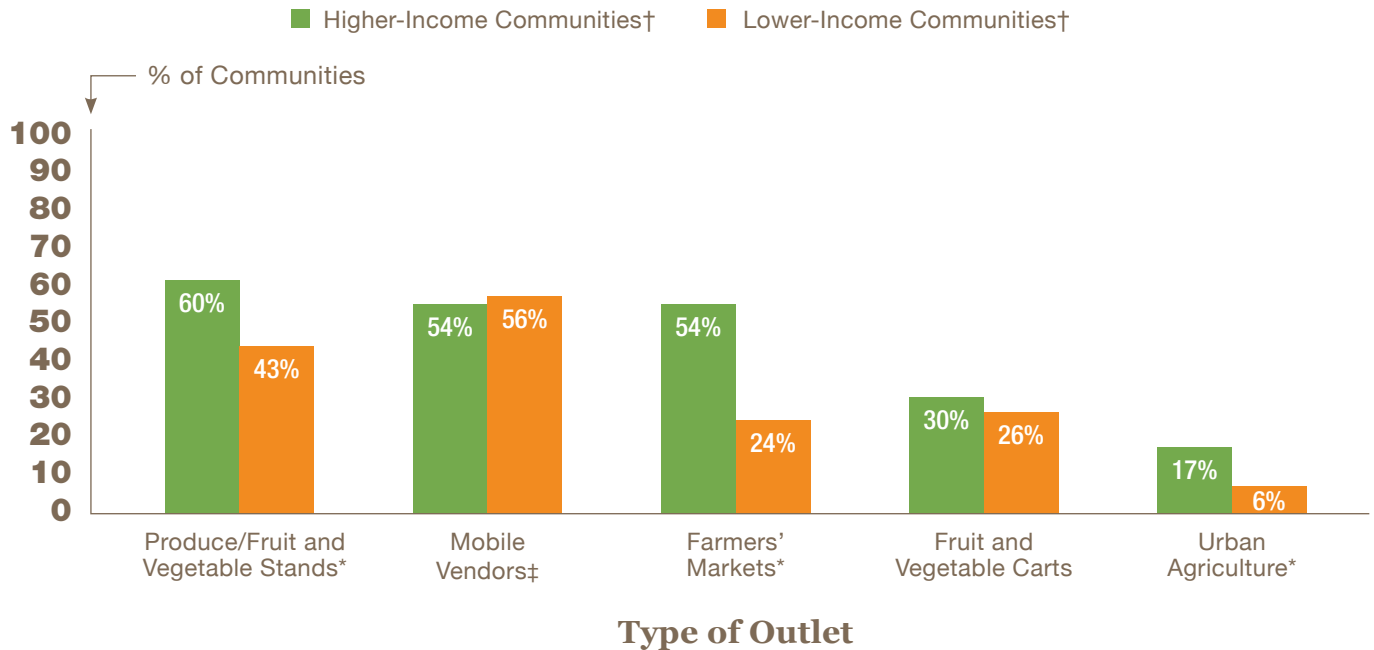
- Zoning codes were more than twice as likely to allow farmers' markets in higher-income communities (54%) than in lower-income communities (24%) and nearly three times more likely to permit urban agriculture (17% vs. 6%).

Conclusion and Policy Implications

While nearly all communities permitted the establishment of fast-food restaurants and retail stores, they were less likely to allow supermarkets and grocery stores. Communities also were much less likely to permit non-store food outlets, such as farmers' markets or community gardens, which are low-cost ways to increase access to healthy foods among residents. Local governments have a number of options related to zoning and land use laws that will help make healthy foods more accessible:

- Local governments should review their existing zoning policies and ordinances and consider including permitted uses for a variety of food outlets. Including permitted uses in local ordinances for these outlets removes administrative barriers to establishing their use and protects their existence.⁵⁻⁷

FIGURE 3 Prevalence of Mobile Vending and Fruit and Vegetable Outlet Permitted Uses by Community Income, 2010



N=175 communities surrounding a national sample of public secondary schools.

†Families living in higher-income communities made on average \geq \$51,185/year; families living in lower-income communities made $<$ \$51,185/year.

‡Mobile vendors includes food trucks.

*Difference in permitted use by income status was significantly different at $p \leq .05$.

- Local policymakers may consider adding specific language to their comprehensive plans to identify food stores as an important consideration for developing and redeveloping neighborhoods.
- Municipalities may adopt ordinances—like those adopted in Chicago, IL,¹² and Madison, WI,¹³ that prevent property owners from restricting the future development of food stores on their land—to help increase residents' access to food retailers.

Other strategies to help local governments make healthier foods more available in their communities include:

- State and local policymakers can implement programs that provide support for the purchase of wireless electronic benefit transfer (EBT) devices at farmers' markets to increase sales among EBT card users. They also can require that all new farmers' markets accept EBT cards.
- Local government officials can encourage convenience store and bodega owners to provide affordable healthy options by offering incentives.

- Local municipalities can create incentive programs to attract supermarkets and grocery stores to underserved neighborhoods through tax credits, grants and loan programs.

Future studies and reports by Bridging the Gap will examine the impact of all these strategies, as well as the types of uses that are permitted or prohibited within a community's zoning code, to help inform policymakers and advocates who are working to increase access to healthy foods among residents in communities nationwide.

For additional information on model policies and tools, the National Policy and Legal Analysis Network to Prevent Childhood Obesity provides resources for communities seeking to develop ordinances and other policies related to mobile vending, farmers' markets, community gardens, and getting grocery and other food stores into communities.*

* More information about NPLAN's resources is available at www.nplanonline.org.

Study Overview

The findings in this brief are based on data from the Bridging the Gap Community Obesity Measures Project (BTG-COMP), an ongoing, large-scale effort conducted by the Bridging the Gap research team. BTG-COMP identifies local policy and environmental factors that are likely to be important determinants of healthy eating, physical activity and obesity among children and adolescents. BTG-COMP collects, analyzes and shares data about local policies and environmental characteristics relevant to fast-food restaurants, food stores, parks, physical activity facilities, school grounds and street segments in a national sample of communities.

This study was based on an analysis of zoning ordinances collected by BTG-COMP researchers at the University of Illinois at Chicago in 2010. Zoning ordinances were obtained from 175 local governments (e.g., municipalities, towns and townships) surrounding a nationally representative sample of 154 school catchments where students attending public middle and high schools live. The zoning ordinances were

reviewed and analyzed to determine whether they permit (either as-of-right or through conditional and/or accessory use) or prohibit a variety of food outlets. The zoning ordinances were analyzed by BTG-COMP researchers using a policy audit tool developed for this study.** This analysis was based on any permitted uses anywhere in the community, regardless of which zone(s) or district(s) where the use was permitted. For this study, communities were classified into two mutually exclusive and exhaustive income categories based on the U.S. Census Bureau, American Community Survey, 2005–2009 series. Families living in higher-income communities made on average, greater than or equal to \$51,185 per year; those living in lower-income communities made less than \$51,185 per year.

A secondary public school can draw its students from several local governments. To account for the relative weight of the zoning ordinances from multiple local governments pertinent to the same school catchment, the data presented in this report were weighted proportional to the population of the local jurisdiction.

** More information about the policy audit tool is available from Bridging the Gap at info@bridgingthegapresearch.org.

Suggested Citation

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About Bridging the Gap

Bridging the Gap is a nationally recognized research program of the Robert Wood Johnson Foundation dedicated to improving the understanding of how policies and environmental factors influence diet, physical activity and obesity among youth, as well as youth tobacco use. The program identifies and tracks information at the state, community and school levels; measures change over time; and shares findings that will help advance effective solutions for reversing the childhood obesity epidemic and preventing young people from smoking. Bridging the Gap is a joint project of the University of Illinois at Chicago's Institute for Health Research and Policy and the University of Michigan's Institute for Social Research. For more information, visit www.bridgingthegapresearch.org

Endnotes

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