

Healthy Overlay District Proposal Drafted by Denise Holter and Dr. Kristen Cooksey Stowers

The American Planning Association describes an overlay zone as “a zoning district which is applied over one or more previously established zoning districts, establishing additional or stricter standards and criteria for covered properties in addition to those of the underlying zoning district.”¹

The Community Action Task Force (CATF) and Invest Health supporting organization team of the Healthy Hartford Hub recommends the establishment of a Healthy District Overlay in the zoning code specific to the Arrowhead Gateway to advance health equity for Hartford residents. The following recommendations for what the Healthy Zoning District should include are inclusive of but are not limited to the (9) elements indicated below:

1. Staple food ordinance outlining inventory stocking standards in corner stores, bodegas, and other small food retail retailers. This is Hartford policy¹ but not currently implemented or enforced.
 - It was modeled after Minneapolis staple food ordinance.
 - <http://growingfoodconnections.org/wp-content/uploads/sites/3/1970/01/45-MinneapolisMN-StapleFoodOrdinance2008-015-2008.pdf>
 - <https://healthyfoodpolicyproject.org/case-studies/minneapolis-mn>
 - Minneapolis, Minn., Code. §§ 203.05 -.30 (2017).
 - Recommended changes include:
 - Enforcement mechanisms (e.g., link to status as a SNAP authorized retailer?)
 - Revising language so that it retroactively applies to preexisting establishments.
 - Seed funding and/or complementary program to provide resources and/or technical assistance and incentives to help corner store/bodega/small grocer owners implement the standards given well-documented capacity and infrastructure constraints (e.g., lack of refrigerators, issues buying produce in bulk/large scale)
2. Bans and restrictions on dollar stores and small box discount stores.

¹ <https://healthyfoodpolicyproject.org/key-issues/municipal-policy-options-for-healthy-food-access-in-stores-and-restaurants>; HARTFORD, CONN., ZONING REGULATIONS § 3.3.4.E (current through March 5, 2020); HARTFORD, CONN., ZONING REGULATIONS Table 3.2-A (current through March 5, 2020); HARTFORD, CONN., ZONING REGULATION §§ 3.3.4E-F (current through March 5, 2020); HARTFORD, CONN., ZONING REGULATIONS §§ 3.3.4.E-F (current through March 5, 2020).



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3. Bans and restrictions on fast food and limited-service restaurants (included by not limited to national chains).
4. Bans and restrictions on liquor stores.
5. Investment in entrepreneurial opportunities for small business and wealth generating options for women and people of color.

Examples:

Healthy Food processing; Farmers, Pop-Up, and Mobile Markets

6. Incentives for supermarkets and other healthy retailers
 - Lower parking minimums
 - Tax credits and exemptions. Per the USDA-funded Healthy Food Policy Project¹, tax credits and exemptions provide one way to encourage development of grocery stores and improvements at existing stores in priority areas.

Prince George's County, Maryland, offers a property tax credit for up to 10 years for grocery store development and improvement in designated food deserts. To qualify as a "grocery store" for purposes of the credit, at least 20% of a store's gross receipts must be derived from the sale of fresh produce, meats, and dairy products. *The credit applies to offset 75% of any property tax increase that occurs as a result of an increase in assessed property value due to the expansion, renovation, or new construction of a grocery store, or reuse of vacant commercial space for a grocery store.*¹

The City of Philadelphia, Pennsylvania, uses tax credits to encourage stores to sell healthy beverages. For purposes of the credit, "healthy beverages" are defined as beverages that are "non-alcoholic and do not list any form of sugar-based sweetener . . . or non-caloric sugar-substitute as an ingredient." The amount of the credit is based on the dollar amount qualifying stores spend to purchase healthy beverages during the year, compared to the amount they spent to purchase those types of beverages the previous year. The maximum credit is \$2,000, which qualifying stores may claim against their business and income tax receipts.²

Washington, DC's Supermarket Tax Incentives Law, which provides tax exemptions to grocery and other retail food stores as well as restaurants located in specific "priority development areas" of the District. These include exemptions from real property tax, personal property tax, and exemptions from sales and use tax on building materials related to the development of a restaurant, store, or supermarket in a designated area.³

- Revisit 30% produce stocking standard language in the Hartford Zoning code (page 10) on the marketplace.

Healthy Overlay District Proposed to Aimee Chambers from Zoning 11/2022 w/ Revised Grocery Store definition; Revised Grocery Store Definition passed by Hartford Zoning Commission in 12/2022; Healthy Overlay District Proposed to Zoning Commission 1/2023 with no action and Mayor Elect Arunan Arulampalam 11/2023 with no action.



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7. Subsidies for healthy retailers to keep costs down.
8. Transit-oriented design, Complete Streets for enhanced Walkability and Cyclists, Greenspace.
9. Need to leverage racial equity tools to promote a JUST and INCUSIVE Zoning and Planning Process in Hartford.
 - Sample resources:
 - <https://dpla.wisc.edu/wp-content/uploads/sites/1021/2017/06/Dundore-PP-Racial-Equity-Food-Planning.pdf>
 - [Authentic-Resident-Engagement.pdf \(healthyfoodpolicyproject.org\)](https://healthyfoodpolicyproject.org/Authentic-Resident-Engagement.pdf)

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