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**KRIS NELSON COMMUNITY-BASED RESEARCH PROGRAM**  
**KRIS NELSON COMMUNITY-BASED RESEARCH PROGRAM**

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## **Community Land Trust (CLT) Feasibility and Equity Best Practices For Holding Agricultural Land Review**

**Prepared in partnership with**  
Twin Cities Community Agricultural Land Trust (TCALT)

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## Executive Summary

This report was commissioned by Twin Cities Community Agricultural Land Trust (TCALT) and provides an analytic summary of the current challenges community land trusts (CLTs) face in implementing urban agricultural projects across the United States in addition to the best practices and lessons learned in implementing such projects. Moreover, this report provides a set of preliminary research tools, including a survey and focus group guide, for TCALT to implement in the future to better ascertain the unique challenges and opportunities for innovation that urban agricultural efforts that wish to employ a CLT model in the Twin Cities metropolitan area. Specifically this project aimed to better understand how a CLT model could be utilized to dismantle barriers to sustained land access and better support under-resourced farmers, farmers of color, transnational migrant farmers, non-native English speaking farmers, and women farmers. Methods of analysis include a comprehensive literature scan that were coded thematically for major trends.

Urban agriculture is attributed with many benefits for individuals, families, and communities: increased food security, improved public health outcomes, ecological restoration, and beautification and protection of public spaces (Gardening Matters, 2012). However, in spite of these numerous benefits urban agriculture faces significant challenges. Most notably, sustained access to land. 99% of urban farmers in the United States cite land insecurity as the chief barrier to their success (Yuen, 2014).

In recent years, CLTs, have become a tool to facilitate urban agricultural projects. Currently in the United States there are nine urban agricultural projects that are registered in the national CLT registry as an urban agricultural project supported by a CLT. CLTs can aid urban agricultural projects in the following three roles: (1) securing land, (2) programmatic support, and (3) direct production (Rosenberg & Yuen 2014). This report will specifically examine the mechanisms by which CLTs can support urban agricultural projects in securing land.

Recommendations for TCALT discussed in this report include:

- Create common internal language for TCALT to use when discussing the topic of CLT rent-sharing models for urban agricultural projects in the Twin Cities that can be used externally when interacting with vested stakeholders.
- Conduct a robust stakeholder analysis to identify a supportive and collaborative network with other NGO, governmental, and citizen actors in the region and identify their relative strengths, gaps in capacity, and interests as it relates to a supra-interest of ensuring food security, food justice, a resilient food system in the Twin Cities metropolitan area.
- Explore what strategic partnerships and opportunities exist to combine affordable housing efforts with urban agricultural projects in the Twin Cities metropolitan area.
- Increase public awareness about the CLT and rent-sharing model.
- Explore what strategic partnerships and opportunities exist to combine affordable housing efforts with urban agricultural projects in the Twin Cities metropolitan area..
- Invite CLT experts from across the United States to share their practices with interested groups in Minnesota.

## Project Background

The seven county metropolitan region of the Twin Cities is steadily losing agricultural parcels and agricultural land (Cureton, 2011). In turn, many urban agricultural farmers are being forced out of business. The challenge many urban agricultural projects and farmers are facing? Sustained access to quality land.

Urban land insecurity is a complex issue and is the result of many confounding factors including:

- Restrictive public policies around zoning and land use (Chumbler, 2015).
- Environmental safety, including the quality of soil, water, and air of the land (Baber, 2017).
- Development pressures (Common Ground, 2011).
- Taxation (FLAG, 2012).
- And, ultimately, the market cost of the land exceeding the income (or anticipated income!) of the revenue that would be generated via the urban agricultural project (Rosenberg & Yuen, 2014).

The Community Land Trusts (CLTs) first appeared in the United States in the the late 1960s during the Civil Rights movement in effort to ensure sustainable economic and residential independence for African Americans in the rural South. Since then, the CLT model has been employed for nearly 240 different affordable housing and community development projects throughout the United States. While historically, the CLT has focused on access to affordable housing and community development efforts, beginning in the late 1990s the CLT has been used in urban agricultural and community garden projects. Currently in the United States there are 9 agricultural related projects that are supported by a CLT; there are none in Minnesota (Rosenberg & Yuen, 2014).

CLTs can play multiple roles in urban agricultural projects, including: (1) securing land, (2) programmatic support, and (3) direct production (Rosenberg & Yuen, 2014). Four models a CLT could employ for securing land are: (1) Fee Simple Ownership, (2) Ground Lease, (3) Deed Restriction, and (4) Conservation Easement. In a fee simple ownership model, the owner of the land, the CLT, is given all rights of title to the property ownership. The owner is allowed to do with the land as they desire and can dispose of the land when they please. However, this arrangement does not ensure the continued use of land for agricultural purposes. A ground lease model refers to a practice in which the CLT is the landowner and leases the land to an external entity to manage the agricultural production and programming. Alternatively, a deed restriction is a common tool in which limitations are placed on the usage(s) of the land, typically by grant funders. And finally, a conservation easement is a voluntary restriction that limit the type(s) of activity on a particular piece of land. The advantages and disadvantages of each tenure arrangement in addition to case study examples are described in Table I. Summary of Tenure Arrangements for Securing Agricultural Land with Case Studies on the following page.

**Table I. Summary of Tenure Arrangements for Securing Agricultural Land with Case Studies (Yuen, 2014:8).**

<b>Tenure Arrangement</b>	<b>Example Organizations</b>	<b>Advantages</b>	<b>Disadvantages</b>
<b>Fee Simple</b>	CCHC DNI Durham CLT Kulshan CLT (Proposed) Madison Area CLT Sawmill CLT Southside CLT	Long-Term Security High Level of Control	Cost to Acquire Property Taxation Management Obligations
<b>Ground Lease</b>	Athens Land Trust Madison Area CLT Southside CLT	Low-Cost High Level of Control	Legal Complexity Transaction Costs
<b>Deed Restriction</b>	Madison Area CLT	Low-Cost Ensures Agricultural Use	Enforceability
<b>Easement</b>	Madison Area CLT	Low-Cost Ensures Agricultural Use	Transaction Costs

In their working paper titled, *Beyond Housing: Urban Agriculture and Commercial Development by Community Land Trusts*, Jeffrey Yuen and Greg Rosenberg (2012) uncovered four unique challenges CLTs may face when engaging in an urban agricultural project. These challenges include: (a) low potential for financial gains; (b) potential gaps in the organization's core competencies; (c) unpredictable funding and production; and (d) organizational inertia, or difficulty in motivating and persuading the CLT board to support an urban agricultural project. Notwithstanding these challenges, cited benefits for CLTs to engage in urban agricultural projects include (a) complementing existing programs; (b) increasing organizational visibility; (c) diversifying the CLT social base; (d) building new partnerships; and (e) promoting organizational resilience. These challenges and benefits to CLTs will be expanded upon in the annotated bibliography. In addition, case studies will be cited to demonstrate how each challenge and benefit manifests in practice with CLTs across the United States.

In the subsequent pages, a detailed annotated bibliography is presented to provide an overview of the literature to-date on the topics of CLT and urban agricultural projects, barriers to sustained access to quality land, and the creation of resilient and sustainable food systems in urban areas. The unit of analysis for this is both Minnesota-specific and United-States general. The purpose of including both Minnesota-specific and United States-general literature is to provide detailed recommendations particular for a Minnesota context and to draw upon best practices from across the country.

# Annotated Bibliography

**Cureton, C. (2011). *Farmland Preservation in Scott and Dakota Counties (Rep.)*. Minneapolis: Center for Urban and regional Affairs.**

- CURA report from 2011 done in collaboration with the Farmer's Legal Action Group
- Comparative study looking at land loss in two counties (Dakota and Scott counties of Minnesota, which are urban). Found that both counties were losing agricultural land, specifically small parcels, because of development and agricultural consolidation. (p. 10 states that Dakota county lost 60% of its 0-5 acre parcel farms)
- While diagnosing the causes of farmland loss in Minnesota requires further analysis, this report has shown that counties in the Twin Cities Metropolitan Area are steadily losing agricultural parcels and agricultural land. Within this overall trend is a notable emphasis in the loss of small agricultural parcels in both counties. If preserving their agricultural assets is a goal of policymakers in Scott and Dakota Counties, this analysis alone warrants a re-examination of local farm preservation policies
- Provides good quantitative information as to how much agricultural land is being lost every year (particularly on page 6 with table that suggests a 40% increase in urban area
- Suggests that more research is needed to understand the causal agents for land loss (but also looking at barriers to demand!)

**Farmers' Legal Action Group. (2012). *Preserving Minnesota's Agricultural Land: Proposed Policy Solutions (Rep.)*. Saint Paul, MN: Farmers' Legal Action Group.**

- Farmland Legal Action Group 275 page report examining current policy around land preservation in the state of Minnesota, shortcomings of said policies, and policy opportunities to preserve and protect agricultural land in Minnesota.
- Chapter One details the significance of protecting Minnesota farmland and particularly small peri-urban and urban communities.
  - Central paradox: Situated in the middle of the nation's Corn Belt, Minnesota has always been an agricultural state. Minnesota ranked sixth in the nation in overall agricultural production in 2009,<sup>1</sup> and, in 2008, its agricultural production contributed \$15.84 billion to the state's economy.<sup>2</sup> Yet Minnesota has no cohesive statewide plan or vision for preserving the land that we need in order to continue to produce the food, fiber, and feed that sustain people and livestock around the world, and that support farmers and their communities.
  - Decrease in mid-sized diversified farms when the large are getting larger and some very small ones are increasing
    - Not only development pressures to change land but also agricultural production pressure specifically in the creation of ethanol and local food production which needs farming practices near city centers
- Chapter Two serves as a literature review summarizing the major literature to-date on the topic of agricultural land preservation and protection in the state of Minnesota.
- Chapter Three outlines the current policies and statutes in place to protect Minnesota agricultural land and farmland. These include:
  - 1982: Minnesota's Agricultural Land Preservation and Conservation Policy (Minnesota Statutes, Sections 17.80–17.84).





- Purchase of Development Rights and Transfer of Development Rights (Minnesota Statutes, Chapters 84C and Sections 394.25 and 462.357)
- This report presents a robust list of policy recommendations. An interesting follow-up question could be: to what extent have these guidelines been enforced?
  - For example, since this report has there been any moves to create statewide goals for farmland protection by acreage
  - The one recommendation that was presented around accessibility/equity:
    - Changing the minimum acreage
    - Amend the Metro Program requirements to clarify that enrollment in an agricultural preserve does not affect a farmer's right to use the land for agriculturally compatible purposes.
    - If policymakers wish to have a vibrant farming sector and economy, they need to develop policies that will help to facilitate the transfer of land from one generation of farmers to the next and allow for affordable access to good quality farmland.
      - Funding should be allocated to MDA for it to convene a task force to review and recommend changes to streamline its administrative rules governing food handling and licensing.
      - Policymakers can help to create markets for Minnesota's farms and promote economic development by creating policies that assist farmers to better market their products and use their assets for related income-producing activities.
- Other key points:
  - Protecting MN farmland, especially near urban areas should be viewed as a vehicle for job creation and long-term investment in the state's continued economic prosperity.
  - The average age of farmers nationally in the US is 57 and in MN the average age is 55.35. Even with the housing market crash, agricultural land values have continued to rise making it near impossible for beginning farmers who do not inherit land to start farming.
  - Said differently, very few young farmers are able to come up with the liquid cash they need to purchase land.
  - Most of Minnesota's newest farmers are transnational migrants and need to stay close to the urban core as to sell their product to market
- Taxes are a major deterrent for many beginning farmers
- Successful farming operations require education, training, technical support, community support, access to resources including land, credit, and market.

**Fessenden, L. & Gelardi, D. (2015). Challenges and Barriers to Beginning Farmers. *Ecology Center*. Retrieved from**

<https://ecologycenter.org/blog/barriers-to-entry-challenges-and-resources-for-beginning-farmers/>.

- Provides a historical account of why there are not many farmers of color in the US today.
- According to the USDA 2012 Census of Agriculture, 60% of farmers are 55 or older, and only 14% are women. While there are an increasing number of people of color who operate farms, 97% of farming land is owned by white people.
- Some of these historical factors include:
  - In the mid-1700s the Industrial Revolution and the emergence of the railroad industry encouraged regionalism, monocropping, and the enormous acquisition of wealth by white landowners operating their farms with slave labor. This wealth translated into political power. In the 1850s and 1860s white landowners, increasingly fearful of having to compete for resources with freed slaves, pressured the USDA into implementing policies that made it difficult for people of color to receive farm loans. For example, farm loans became available on credit, which of course recently freed slaves did not have.
  - In 1848, the Treaty of Guadalupe-Hidalgo was negotiated and the US acquired territory from California to Texas. Article X was written into the treaty to protect Mexican landowners as their properties become part of the US, but was promptly eliminated once the treaty was ratified. By the late 1850s, one third of these former Mexican landowners are landless, and by the 1950s most Mexican-Americans in this territory are laborers on land their parents or grandparents had owned.
  - The US government announced the Homestead Act of 1862 to encourage small, private land ownership in the newly acquired West. This revolutionary act was extended even to women and freed slaves. While some of these demographics did become landowners through the Homestead Act, the unfortunate reality is that most of these populations did not have the resources or equipment to start a farm, much of the Homestead Act territory ended up in the hands of speculators, railroad companies, and wealthy landowners from the South.
  - As part of the New Deal programs in the 1930s, the Farm Service Agency was established to provide long-term, low-interest loans to encourage farms established by smallholders. Racism was rampant throughout this agency and throughout New Deal programs as a whole. Social security, unemployment wages, and minimum wage standards excludes farm laborers and those in the domestic sector, most of whom are people of color.
  - This institutional racism ultimately leads to the largest class action lawsuit in history. In *Pickford vs. Glickman*, the USDA pays out \$1 billion in 1999 to settle claims by black farmers who were denied loans between 1981 and 1996, or whose requests took up to three times as long as white requests, often after a harvest season had passed and folks were forced to give up their land. In 2010, an additional \$1.2 billion is set aside for what is known as “Pickford II.”

**Chumblor, M. H., Negro, S. E., & Bechler, L. E. (2015). *Urban agriculture: Policy, law, strategy, and implementation*. Chicago: American Bar Association.**

## Chapter 9: The Tax Implications of Urban Agriculture: Liabilities and Incentives

- Footnote number #5 discusses how a study done for the city of STP found that while the initial tax revenue would be negligible, in one year that could increase to \$201562 and in later years could increase to to 66273 after 5 years
- Imposition of taxes associated with farming could serve as an initial barrier for many start-up farmers not to mention the process associated with collecting and remitting taxes for those farmers who sell → also varies by local, regional, and state level which can make it incredible cumbersome for interested farmers.
- The associated taxes with urban farming include:
  - Real property tax - tax based on value of the property using market value and use value
    - Market - what buyer could reasonably be expected to pay
    - Use - Value to its current owner
    - Thus, a use value assessment based on a property's current use for agriculture, rather than its potential higher-value, non agricultural use, is generally considered to be a tool for preserving farmland.
    - Agricultural use and not non-agricultural value use would be more beneficial for an urban farmer
    - However in many states urban ag cannot qualify to be considered under the nonag value use assessment [not entirely sure why] -- page 3 in PDF does outline some of the factors associated with it and why it may not count as ag, most notably it is a minimum size and revenue requirement
    - There have been 5 states which have incentivized urban ag, these include UT, CA, MY, NJ, MI
      - These states employ a variety of methods including assessment based on agricultural use, credits to lessen property taxes, and outright property tax exemptions. In each instance, these tax benefits come with strings, and, typically the benefits are only temporary.
      - Utah Urban Farm Act (2012)
        - Amended to support urban ag, only applies to counties >700,00 people
      - CA Urban Agriculture Incentives Zone Act (2013)
        - is modeled after an existing statute designed to encourage preservation of traditional farmland. The tJ\IZ Act authorizes local jurisdictions with a population of at least 250,000 to establish urban agriculture preserves, referred to as Urban Agriculture Incentive zones (uAIZs),<sup>30</sup> within which "vacant, unimproved, or blighted lands [can be converted] for small-scale agricultural use."<sup>31</sup> tū(/ithin l)AIZs,the local government (city or county) may enter into a contract with the owner of property of at least 1'11.0 acre, but no more than 3 acres, which contract entitles the owner to have the property assessed based on the annual average per acre value of California irrigated cropland,<sup>32</sup>

rather than its market value. The local government that establishes one or more UAZs adopts its own regulations and criteria for the program. At a minimum, however, the contract with a property owner in THIS must be for at least five years. If the property owner cancels the contract, absent circumstances deemed by the local government to be extenuating, the property owner must pay a clawback-referred to in the UAZ Act as a "cancellation fee"-which equals the total amount in reduced property taxes enjoyed by the property while the contract was in effect.<sup>33</sup>

- Maryland Urban Ag Tax Credit Program (2010) given back to urban ag farmer which can be up to 100% of total tax
  - $\frac{1}{8}$  - 5 acres, credit up to 100% to cover the costs
- NJ Tax Exemption Program (2011)
  - provision both creates a complete property tax exemption for urban land "actually used for the cultivation and sale of fresh fruit, u.gei"bles',a7 and provides authorization for local governments "to sell or lease vacant properties for urban agricultural use however it must meet the following requirements:
    - Nonprofit org
    - Incorporated in NJ
    - Cultivation of sale of fresh fruit/veggie
    - Cannot be political
    - Cannot be owned by for-profit
    - Purchased from city
- Missouri Urban Ag exemption (2013)
  - Most expensive of all programs, allows for the city ot make the following:
    - Grower UAZ
    - Processing UAZ
    - Vending UAZ
  - Tangible personal property tax
    - Ad valorem tax on business owned property
  - Sales tax
    - Again this ranges by state but can have real-felt consequences of up to 12.75%
  - Use tax
- In summary, tax incentives could be harnessed to increase the # of urban farmers, these could include:
  - Economic revitalization/job creation
  - Community contribution
  - "Green"
  - Vacant lot

**Gardening Matters. (2015) Multiple Benefits of Community Gardening. *Gardening Matters*. Retrieved from**

[https://www.gardeningmatters.org/sites/default/files/u106/Multiple\\_Benefits\\_2015\\_2.pdf](https://www.gardeningmatters.org/sites/default/files/u106/Multiple_Benefits_2015_2.pdf)

- Provides very succinct and compelling account of why urban community gardening matters and facts/figures about the current agricultural system in which food travels over 1300 miles to reach the supermarket and consumes nearly 10 kcal of energy for 1 cal of food
- Some benefits of community gardens include:
  - Increasing property values
  - Less expensive than parks
  - Psychological benefits for residents
  - Attract business and others to move in
  - Job creation
  - Tax benefits for city/state
  - Food resilience and security

**Davis, J.E. (1984). *Land reform, American Style*. Totowa, NJ: Rowman and Allanheld.**

**Chapter 13: Re-Allocating Equity: A Land Trust model of reform**

- Land reform is commonly equated with land redistribution however there exists a third model, titled allocating equity; equity in this case refers to the value inherent to land and buildings that is free and clear once any parcel has been paid off
- CLT (Community Land Trust) is a mixed ownership arrangement in which a non profit organization in the locale - the CLT - is held accountable to the community in which it is serving to make decisions re land for them.
  - Land not sold but rather leased over long period of time
- Core three components of land reform:
  - Correct tenure system that is considered defective and discriminatory - redistribute ownership
    - Outside of US has meant taking land from larger and more powerful social class to redistribute to other however in the US this has not happened
    - In the US another model which restricts the usage of private property has been common practice, while it does not distribute title does redistribute rights, has had limited effects but does allow for local govt to have more control
  - Restructures institutional framework of land ownership and use
  - Transfer of power, property and status from one group to another
- CLT has great potential to transform communities (i.e. in Cedar Riverside area with the 300 housing units) -- how could it be used for land?

**Yuen, J. (2014, April). *City Farms on CLTs: How Community Land Trusts Are Supporting Urban Agriculture*. *Lincoln Institute on Land Policy*. 2-8.**

- Despite the growing popularity of urban agriculture, many city farms continue to face the challenge of insecure land tenure and overly restrictive public policies.

- CLTs can provide a good supporting structure for urban ag.
  - CLT is a non profit, community based corporation with place based membership, a democratically elected board, and charitable commitment to the stewardship of local land
  - Allows way to retain ownership for community so highest rate or best use can remain community defined
  - CLTs started in rural Georgia in 1960s
- Four different tenure arrangements for CLTs which include (See Table I for pros/cons)
  - Fee Simple Ownership
  - Ground Lease
  - Easement
  - Deed restriction
- Land tenure and security cited as the number one barrier for urban ag farmers and the most vital element for success, 2006 survey 99.9%
- Challenges to CLT urban ag:
  - Financial profitability, many rely on grants
  - High level of technical ag knowledge
- Other ways CLTs can support: programmatic support, tech assistance, and community engagement
- Other interesting notes:
  - Most “best use” do not calculate in health.well being and other social benefits

**Rosenberg, G. & Yuen, J. (2012) Beyond Housing: Urban Agriculture and Development by Community Land Trusts (Working Paper). *Lincoln Institute on Land Policy*. Retrieved from: <https://community-wealth.org/sites/clone.community-wealth.org/files/downloads/paper-rosenburg-yuen.pdf>**

- Research paper examining the role of CLTS in non residential projects, benefits and challenges of CLTS in non-residential projects, and implications for CLT practice
- In summary, found the major roles of CLTs in non-residential projects include:
  - Securing land
  - Providing agricultural programmatic support
  - Engaging directly in agricultural production
- Thesis point: CLTs should continue to engage in non-residential projects to include more agricultural projects, but focus more on the management of land rather than the ownership of the land
- Introduction/Lit Review
  - History of CLTs
    - First Wave: 1969 New Communities Inc assisted African American farmers in securing land
    - Second Wave: 1980s Institute for Community Economics, applied to urban settings
    - Third Wave: 1990s housing boom hyperinflation on markets
    - Third Wave: early 2000s, foreclosure crisis
  - CLTs/Urban Ag

- Land insecurity consistently cited as the #1 barrier for urban ag projects both in the implementation and in the sustainability aspect
    - To assist with this barrier, CLTs can provide alternative (Campbell and Salus 2003, Hersch 2010, Rosenberg 2010) look at case studies
- Methods
  - Table 1 outlines the case sites for the research project of 9 different urban ag projects across the US
- Findings:
  - Major roles of CLTs include the above: (1) securing land, (2) providing programmatic support, and (3) engaging directly in ag production
  - See pages 7-13 for more of a detailed explanation of the specific case examples
  - Organizational benefits to the CLTs to support urban ag projects: complementing existing programs, increasing organizational visibility, diversifying CLT base, building new partnerships, and promoting org resilience
  - Org challenges to urban ag projects: low potential for financial gain, unpredictability in ag funding and production, organizational inertia
  - Implications for CLTs engaged in urban ag work: community engagement, minimize financial risk and diversify income streams
- List of Key Lessons Learned from the Yuen and Rosenberg Article:
  - CLTs can use many methods to secure access to agricultural land. Athens Land Trust was not able to purchase suitable land due to local zoning codes that severely restricted commercial agricultural land uses. Further, as state tax policies assess CLT land at unrestricted market value, the holding costs associated with fee-simple ownership were prohibitively high. Athens Land Trust found a creative solution by partnering with the Clarke County School District to adapt and reinvigorate an underutilized parcel in the heart of the community.
  - Local planning and knowledge are crucial. CCHC was presented with a large parcel of land and worked with the community to develop opportunities outside the 'highest and best' use. CCHC was willing to look at the variety of needs identified by the community (through the town's comprehensive plan) in addition to traditional housing. By taking this comprehensive approach, CCHC was able to integrate housing with other significant community goals like preserving agricultural open space and creating opportunities for the arts.
  - After the initial pilot period, Kulshan CLT performed a mid-project review to evaluate their progress and performance. Based on this experience, Kulshan CLT has now refocused its agricultural programs around urban communities, where they have deeper community ties and a stronger understanding of local agricultural needs. Further, the agriculture programs are now better connected with existing housing program and act as amenities that enhance demand for new housing. While the ALF program was not initially as successful as intended, Kulshan CLT's process of iterative self-evaluation serves as a model for organizations entering new lines of business.
  - Although the Lopez CLT was successful in piloting a national model for sustainable livestock processing, the initial financial structure was not ideal. When an organization engages in a major operation like the mobile meat

processing unit, the project needs to be beneficial not only in terms of mission; it also needs to be financially beneficial. As Sandy Bishop noted, “We put in a lot of time, money and commitment; in the end we got stuck holding the loan”. In the end, Lopez CLT overcame the financial challenges and has successfully integrated the mobile meat processing unit into their larger food security efforts.

- Projects that blend a wide variety of land uses and incorporate a high level of neighborhood involvement, can take a lot of time to develop. It was also important for Madison Area CLT to develop a working understanding of urban agriculture issues in order to serve as master developer for the project, negotiate strong agricultural ground leases, and drive zoning discussions. Finally, Troy Gardens illustrates the wide variety of tenure arrangements that can be used to secure land for urban agriculture.
- The community has to be involved from the earliest stages of the process. Sawmill CLT took the time to engage in a community visioning process and developed a plan that responded to the site’s unique history and the resident needs. However, progress has been delayed due to funding shortfalls. Meanwhile, Sawmill CLT has utilized other methods to bring agricultural elements to the site and have incorporated a small orchard and community garden outside a senior housing complex.
- The Southside CLT is highly experienced and uniquely situated to provide agricultural programmatic support and engage in direct agricultural production. Southside CLT is the only CLT in the county with a sole focus on urban agriculture. Most of the City Farm programs are now financially self-sustaining. However, acquisition and development costs, capital improvements and educational components for the Providence Community Growers Network are still heavily grant dependent.
- ULC’s commitment to deep neighborhood engagement enhanced the sense of community cohesion and resulted in a project that responds to the HARP plan. ULC’s ability to ground lease the community center reduced land costs for the Boys and Girls Club, and added a layer of protection to safeguard the community’s long-term vision for the site.

**Davis, J. (2014) Origins and Evolutions of CLTs in the United States. Retrieved from <http://cltnetwork.org/wp-content/uploads/2014/07/1-Origins.pdf>**

- Historical account of CLTs form a small organized effort in Georgia to a broader social movement that now has 260 CLTs in 46 different states, including Puerto Rico.
- Not necessarily the most pertinent document to our research but does paint a good historical landscape of CLTs in the US

**Dubb, S. (2011). Interview with John Emmeus Davis. *The Democracy Collaborative*. Retrieved from: <https://community-wealth.org/sites/clone.community-wealth.org/files/interview-davis.pdf>**



## Setting Up Rent Sharing Trusts in Minnesota, Common Ground USA

- Report by Common Ground USA to explore how a rent sharing farm would be implemented in MN specifically looking at org structure, rent sharing feature, and steps needed to establish a trust.
- Rent sharing farm trusts are a common-based approach to farmland issues. Farm trusts would have non-contiguous properties in them and wealth/income eligibility for beneficiaries who would have title to farms while full market rent would be charged from farmers renting the land to form pool of \$ with surplus being given back as dividend.
  - Earlier report suggests that should focus on 5 acre as that size would be easier to get donated
- Several ways to go about acquiring funding for these projects, which include:
  - Foundation investment \$
  - Legacy funding, \*
  - State and federal \$ for farmland preservation
  - Potential donor base in TC area
- STRUCTURE: Ownership of farmland is governed by the Corporate Farm Law (CFL). There research questions included:
  - What are the restrictions on non-profits and leasing land under CFL?
  - What is a Public Benefit Corporation (PBC) and could a PBC benefit under CFL?
    - Non-profit land trust (NLT) (p.6)
      - Most logical way to organization to do a farmland trust as they are already tax exempt
    - Minnesota Public Benefit Corp. Act (MPBCA)
      - Purpose is socially minded org instead of run strictly for profit
      - No tax benefit but rather to communicate social good to public
- Next recommended steps to those interested (p. 8)
  - Develop a shared vision
  - Decide who trust will serve and how
  - Choose an org and governance structure
  - Have an execution plan for 12 months and 5 years
  - Determine what resources you need
  - Lay groundwork for project
- Conclusion: though challenges remain there is evidence that rent sharing farms would be of benefit
- Appendixes offer wide range of observations and points for further analysis including the following:
  - Land Stewardship Project Research (pp. 12 -15)
    - Local efforts
      - MN has no land trusts but a variety of strategies to access land
      - Dakota County Farmland and Natural Areas Protection Program
      - Twin Cities Community Agricultural Land Trust
      - Minnesota Land Trust
        - Not interested unless deemed “conservation”

- Wisconsin Land Trusts
      - Wisconsin Land Preservation Legislation
      - Sustainable Iowa Land Trust
      - Agrarian Trust
      - National Young Farmers Coalition
      - American Farmland Trust
      - EQuity Trust
      - Yggdrasil Land Foundation
- Business plan for one CLT agricultural land project is included in appendix section
- Major considerations for community land trusts agricultural projects
  - Legal considerations
    - Three major areas for reform: govt acquisition of land for ag purposes, property tax incentives, and changes to municipal codes
    - First major barrier is land acquisition, which could include in form of gift or bequest
      - Conservation land can only be sold if it falls into one of three categories: (1) creation or preservation of wetlands, (2) drainage or storage of rainwater or (3) preservation to natural area
    - In this land acquisition barrier the trick is the need to get the land sold for less than market value (p.37) this can happen if: (1) county decides selling it at a reduced price can have an increased public benefit or (2) increases access to affordable housing -- interesting note is that at present it does NOT include affordable ag land
  - However upon acquiring the land the question then shifts to who gets the land and is thus responsible for managing it. P. 38 outlines some key questions for consideration.
    - To the above point some potential structures to hold the trust could include:
      - Organization as non-profit (p. 40)
      - Organization as public benefit corp (p. 41)
- Bigger paradigm shift is to move away from the success of the individual farmer to the broader community
- Call to action: create a manual that would assist existing or new farmers to understand how to start a rent-share CLT program.

**Ground Solutions Network. (n.d.) Community Land Trust Start Up Kit. *Ground Solutions Network*. Retrieved from <https://groundedsolutions.org/start-upclthub/>**

- While this online toolkit was established principally for affordable housing CLTs, it could be an interesting end product for the project this project and provides invaluable tips and resources to start a CLT. The website walks an individual or group of people interested in starting a CLT through a 6 step process of preparing to open and manage a CLT.
- In addition, this kit provides a series of legal documents that could be used as a template to start up a CL

**Rosenberg, G. & Yuen, J. (2013) Beyond Housing: National CLT Network Non-Residential Project Directory. Retrieved from <http://cltnetwork.org/wp-content/uploads/2014/01/FINAL-Non-residential-project-directory-4-26-13-1.pdf>**

The screenshots that follow are taken from Rosenberg & Yuen (2013). These screenshots provide a brief description of the CLT-urban agricultural project, in addition to the context in which the CLT-urban agricultural project unfolded and the unique challenges and successes the CLT-urban agricultural project experienced. Moreover, each screen shot includes an abbreviated “lessons learned” section which documents the key findings each CLT-urban agricultural project had in the early phases of their endeavor. And finally, in the green call-out box on the right hand of the screen shot, a list of key facts, including the role the CLT played in the design and implementation of the CLT-urban agricultural project is detailed.

- Athens Land Trust, Georgia (2012)

### Background & Context:

In November 2010, the Athens Land Trust, working in partnership with the University of Georgia, was awarded a Community Food Project grant from the USDA. The program aimed to increase healthy food options and economic opportunities for low-income residents. However, local zoning restrictions complicated the process of choosing a commercial agriculture site located near the target community. The West Broad property that was eventually selected previously housed the historic West Broad Elementary School that had been fenced off from the community for years.

### Implementation:

In March 2012, the Athens Land Trust broke ground on the community garden located on the playground of the former school. Today, Athens Land Trust manages several agricultural programs at the West Broad Market Garden and will be adding a farmers market in May 2013.

“ *It's important to have patience; these things will keep living and keep going.* ”

### Challenges

Local zoning codes prohibited commercial agricultural land uses on most parcels located near the target community. As a result, implementation was delayed for a full year until a workable solution could be found. The West Broad site was eventually selected because it is owned by the school district and thus exempt from zoning restrictions. The Athens Land Trust does not own the site, but has permission to access the site for its agricultural programs.

### Benefits

The garden has helped the Athens Land Trust expand its relationship and visibility to the local community while addressing an identified community need. Athens Land Trust is also able to serve a large number of residents through the West Broad Market Garden site and at a relatively low cost to the organization.

Project at a Glance	
Location:	Athens, GA
Project Category:	Urban Agriculture
Year Completed:	2012
Agricultural Acreage:	1/2 Acre
CLT Role	Programmatic Support
Agricultural Activities:	Community Garden, Market Garden, CSA Market, Produce Stand
Tenure Arrangements for Securing Land:	Partnership with Clarke County School District
Major Partners:	Clarke County School District, University of Georgia
Website:	<a href="http://www.athenslandtrust.org">www.athenslandtrust.org</a>
Staff Contact:	Heather Benham, Director of Operations <a href="mailto:heather@athenslandtrust.org">heather@athenslandtrust.org</a>

### Lessons Learned

CLTs can use many methods to secure access to agricultural land. Athens Land Trust was not able to purchase suitable land due to local zoning codes that severely restricted commercial agricultural land uses. Further, as state tax policies assess CLT land at unrestricted market value, the holding costs associated with fee-simple ownership were prohibitively high. Athens Land Trust found a creative solution by partnering with the Clarke County School District to adapt and reinvigorate an underutilized parcel in the heart of the community.

- Church Community Housing, Rhode Island (2010)

### Background & Context:

In 2004, the owner of a 174-acre low-intensity farm approached the Town of Tiverton with the vision of developing the site into a rural arts community. The town brought the project to Church Community Housing Corporation (CCHC), who agreed to develop the site to achieve the town's comprehensive planning goals of preserving open space, maintaining rural character, creating affordable housing, and supporting the local arts community.

### Implementation:

Using a clustered development approach, CCHC created 24 market-rate and affordable homeownership lots and 50 affordable rental units on 26 acres. Another 97 acres were transferred to a conservation land trust for ecological conservation. The remaining acreage went towards preserving farmland and creating a community garden, orchard, and community spaces. The buildings are eco-friendly and powered partially by a wind turbine.

*“Partnerships are really important if you are venturing into something highly specialized like farming. It's not just putting seed in the ground.”*

### Challenges

CCHC quickly found that specific soil conditions, product processing, transportation and markets have to be taken into consideration. CCHC was fortunate to connect with strong partners, including members of the Eastern Rhode Island Conservation District, who brought additional capacity and expertise.

### Benefits

Sandywoods Farms leased up quickly and has a long waiting list for rental housing units due, in part, to demand for the community garden and rural agricultural context. The development was initially marketed solely as an arts community, but prospective renters expressed so much interest in agricultural that the project was rebranded as an 'Art and Agriculture' development. The project has won many awards and garnered media attention, serving to increased organizational visibility.

By Jeffrey Yuen & Greg Rosenberg

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### Project at a Glance

Location:	Tiverton, RI
Project Category:	Urban/ Rural Agriculture
Year Completed:	2010
Agricultural Acreage:	174 Acres
CLT Role	Securing Land
Agricultural Activities:	Farmland Preservation, Community Garden, Orchard
Tenure Arrangements for Securing Land:	Fee Simple Ownership, Ground Lease, Conversation Easement
Major Partners:	Town of Tiverton, Rhode Island Housing, Eastern Rhode Island Conservation District
Website:	www.sandywoodsfarm.org
Staff Contact:	Brigid Ryan, Senior Project Manager bryan@cchcnewport.org

### Lessons Learned

Local planning and knowledge are crucial. CCHC was presented with a large parcel of land and worked with the community to develop opportunities outside the 'highest and best' use. CCHC was willing to look at the variety of needs identified by the community (through the town's comprehensive plan) in addition to traditional housing. By taking this comprehensive approach, CCHC was able to integrate housing with other significant community goals like preserving agricultural open space and creating opportunities for the arts.

- Dudley Neighbors Inc. (2006)

### Background & Context:

In 2004, the Dudley Street Neighborhood Initiative (DSNI) acquired the site of an abandoned automotive garage. The property was heavily contaminated and required significant environmental remediation. At the same time, the Massachusetts Highways Department (MHD) settled a lawsuit with the EPA and was required to undertake a supplemental environmental project. In lieu of paying a fine, MHD financed the \$1.5 million Dudley Greenhouse project. Increasing access to healthy food options had long been an emphasis of DSNI.

### Implementation:

A series of community discussions led to the idea of redeveloping the site as a community-owned, commercial greenhouse. A concrete cap was placed over the contaminated soil, with greenhouse production occurring in raised planter beds. The site is now owned by Dudley Neighbors, Inc., the CLT subsidiary of DSNI. Half the greenhouse is designated for commercial agriculture and leased at nominal rates to The Food Project, a local nonprofit. The remaining portion of the site is set-aside for community groups and local residents.

*“The work of a CLT is not just to manage properties, but to engage the community in what they want to see in the land trust, whether that’s commercial, a greenhouse or agricultural land.”*

### Challenges

DNI was unable to secure its initial greenhouse tenant and the structure sat vacant for nearly five years. However, DNI was well positioned to absorb the unexpected vacancy loss as the project was completed without incurring debt and the organization’s tax-exempt status allowed for minimal holding costs.

### Benefits

The Dudley Greenhouse serves as an amenity that supports the marketability of DSNI housing units. Many prospective buyers are attracted to the idea of a community that is based around healthy, locally grown food. The project also helped fulfill the community’s goals of increasing access to quality open spaces.

By Jeffrey Yuen & Greg Rosenberg

Project at a Glance	
Location:	Roxbury, MA
Project Category:	Urban Agriculture
Year Completed:	2006
Agricultural Acreage:	10,000 SF
CLT Role	Securing Land
Agricultural Activities:	Community Garden, Commercial Agriculture
Tenure Arrangements for Securing Land:	Fee Simple Ownership
Major Partners:	The Food Project, Massachusetts Highway Department
Website:	<a href="http://www.dsni.org">www.dsni.org</a>
Staff Contact:	Harry Smith, Director of Sustainable and Economic Development <a href="mailto:hsmith@dsni.org">hsmith@dsni.org</a>

### Lessons Learned

Community engagement is particularly important in the urban agriculture setting, where CLTs often rely on local residents to carry out agricultural production. Harry Smith of DNI explained, “We were not going to [the residents] and saying, ‘you should be growing your own food.’ They came to us saying, ‘we want to have a garden, we want land to grow on.’ A large-scale, expensive project, like the Dudley Greenhouse, needs to occur within the context of a larger community visioning process.

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- Durham Community Land Trust (1992)

### Background & Context:

In the late 1980s, Duke University sold a number of properties in the Burch Avenue neighborhood to the Durham CLT. One of the properties included a noncompliant lot that was too small for housing development, which the Burch Avenue Neighborhood Association advocated to become a community garden. Durham CLT was happy to support this community-based vision and eager to find a constructive use for the vacant lot.

### Implementation:

Construction of the community garden was financed through in-kind contributions and grant funds. The Burch Avenue Neighborhood Association is now responsible for overseeing the community garden, as Durham CLT does not have the organizational capacity or expertise to manage the program directly. However, Durham CLT periodically helps the community garden access grant funds by acting as a fiscal agent.

*“Community gardens provide food for the body and the soul.”*

### Challenges

The activity and the use of the community garden vary from year to year. The garden thrives when there are individuals from the neighborhood to champion the cause. However, there have been years when interest in the garden has waned and the site became overgrown. At one point, Durham CLT reached out to the Burch Avenue Neighborhood Association and considered stepping in. In the end, interest in the garden renewed and the site is again thriving.

### Benefits

The community garden has enhanced Durham CLT's presence in the neighborhood and helps the organization build stronger community relationships.

### Project at a Glance

Location:	Durham, NC
Project Category:	Urban Agriculture
Year Completed:	1992
Agricultural Acreage:	1/4 Acre
CLT Role	Securing Land
Agricultural Activities:	Community Garden
Tenure Arrangements for Securing Land:	Fee Simple Ownership
Major Partners:	Burch Avenue Neighborhood Association
Website:	<a href="http://www.dclt.org">www.dclt.org</a>
Staff Contact:	Selina Mack, Executive Director <a href="mailto:selina@dclt.org">selina@dclt.org</a>

### Lessons Learned

While the community garden does not generate any revenue, it also offers very low risks and management responsibility for Durham CLT. The nominal lease structure is also beneficial to Durham CLT, as the organization is primarily a housing organization and does not have the capacity to take on community garden management. At the same time, the community garden helps Durham CLT address evolving neighborhood desires and needs.

- Kulshan Community Land Trust (2012)

### Background & Context:

Kulshan CLT began the Access to Land for Farming (ALF) program in late 2010 with a two-year commitment of funding for staffing and land acquisition from the Whatcom Community Foundation. The ALF program was setup to purchase rural farmland and enter into long-term affordable ground leases with local farmers. The program also looked to engage in education and advocacy efforts around sustainable agricultural practices.

### Implementation:

ALF initially focused on building relationships with farmers, advocates, and community contacts in targeted rural areas, to build interest in the initiative as well as to explore project opportunities. Kulshan engaged in a lengthy exploration of one project - purchasing an existing farm and transforming it into an agricultural education center - but other entities eventually stepped in to assist with that project. Several other properties were identified, but were not implemented. The funder requested a mid-project evaluation to be completed. Based on the results of the evaluation, the second-year of funding was suspended, and the program discontinued.

### Challenges

Kulshan CLT found that affordable farmland was difficult to access without strong connections to the agricultural community and was rarely purchased through arms length transactions. Further, Kulshan CLT staff was more experienced with agricultural advocacy than agricultural real estate transactions. However, Kulshan CLT was willing to perform a mid-project evaluation and successfully reframed the program to better match organizational strengths.

### Benefits

While the project was not successful as initially conceived, the mid-project evaluation provided the dual benefits of reinforcing positive relations with a key funder and providing a set of recommendations to refocus the program on urban, rather than rural, agriculture. The networking process also identified a potential partner to assist with urban agriculture programming for Kulshan CLT homeowners.

### Project at a Glance

Location:	Bellingham, WA
Project Category:	Rural Agriculture
Year Completed:	2012
Agricultural Acreage:	N/A
CLT Role	Securing Land
Agricultural Activities:	Farmland Preservation
Tenure Arrangements for Securing Land:	Fee Simple Ownership
Major Partners:	Whatcom Community Foundation
Website:	<a href="http://www.kulshanc.lt.org">www.kulshanc.lt.org</a>
Staff Contact:	Dean Fearing, Executive Director <a href="mailto:deanfearing@kulshanc.lt.org">deanfearing@kulshanc.lt.org</a>

### Lessons Learned

After the initial pilot period, Kulshan CLT performed a mid-project review to evaluate their progress and performance. Based on this experience, Kulshan CLT has now refocused its agricultural programs around urban communities, where they have deeper community ties and a stronger understanding of local agricultural needs. Further, the agriculture programs are now better connected with existing housing program and act as amenities that enhance demand for new housing. While the ALF program was not initially as successful as intended, Kulshan CLT's process of iterative self-evaluation serves as a model for organizations entering new lines of business.

- Lopez CLT (2003)



### Background & Context:

In 1996, the Lopez CLT launched the Sustainable Agriculture and Rural Development (SARD) initiative and helped create the Island Grown Farmer's Cooperative. Because it was prohibitively expensive to ship livestock to the nearest USDA processing facility located on the mainland, local farmers identified the need for a mobile meat processing unit.

### Implementation:

Over the span of several years, the Lopez CLT conducted feasibility studies and developed partnerships at the USDA, eventually designing and purchasing the first mobile meat processing unit in the United States. Funding came from the USDA, private donations and a \$150,000 low-interest loan from the Institute for Community Economics. The unit was subsequently leased to the Island Grown Farmers Cooperative at one dollar per year for a 10-year period. Ownership of the unit was fully transferred to the farmers cooperative in 2013.

*“ It has really changed the face of our local food scene. It was a key element that had been missing. ”*

### Challenges

Although the Lopez CLT was successful in piloting a national model for sustainable livestock processing, the initial financial structure was not ideal. The organization took on \$150,000 in debt to develop the unit, which was subsequently leased to the local farmers co-op for very nominal fees. Planning and implementation of this innovative project was extremely time-intensive and staff was unable to focus on housing activities during the time of its development.

### Benefits

The mobile meat processing unit changed the face of the local food scene and the availability of locally produced meat is entirely dependent on the unit. Further, as the unit was the first of its kind in the nation, the project brought national recognition and visibility to the organization.

### Project at a Glance

Location:	Lopez Island, WA
Project Category:	Urban/Rural Agriculture
Year Completed:	2003
Agricultural Acreage:	N/A
CLT Role	Programmatic Support
Agricultural Activities:	Mobile Meat Processing Unit
Tenure Arrangements for Securing Land:	N/A
Major Partners:	USDA, Island Grown Farmers Cooperative
Website:	<a href="http://www.lopezclt.org">www.lopezclt.org</a>
Staff Contact:	Sandy Bishop, Executive Director <a href="mailto:lclt@rockisland.com">lclt@rockisland.com</a>

### Lessons Learned

Although the Lopez CLT was successful in piloting a national model for sustainable livestock processing, the initial financial structure was not ideal. When an organization engages in a major operation like the mobile meat processing unit, the project needs to be beneficial not only in terms of mission; it also needs to be financially beneficial. As Sandy Bishop noted, “We put in a lot of time, money and commitment; in the end we got stuck holding the loan”. In the end, Lopez CLT overcame the financial challenges and has successfully integrated the mobile meat processing unit into their larger food security efforts.

- Madison Area CLT (2007)

### Background & Context:

In 1996, the Madison Area CLT began participating in a coalition effort to save Troy Gardens, a beloved community garden and open space scheduled for redevelopment. After five years of planning and fundraising, the Madison Area CLT purchased the 31-acre Troy Gardens site in 2001. Another five years were required for fundraising, obtaining city development approvals, and completion of site planning and architectural work. Construction was completed in 2007.

### Implementation:

Immediately upon purchase of the land, Madison Area CLT leased 26 acres of greenspace to the Friends of Troy Gardens (now Community GroundWorks), for the purposes of continuing the community garden, establishing a CSA farm, restoring a five-acre prairie, and developing an interpretive trail system. Community GroundWorks has since expanded its operations to include youth programming, adult education, and an off-site farming collaboration with Madison public schools.

*“Community gardens are the best engine of community building that I have ever seen, crossing every conceivable boundary of class, race and culture.”*

### Challenges

The CLT engaged in lengthy negotiation with the State of Wisconsin to reduce the sale price to reflect the restrictions on the land. It was also necessary to create a custom zoning classification for the site. Finally, it was challenging to develop a long-term agricultural ground lease that suited the needs of the CLT and the lessee.

### Benefits

The success at Troy Gardens brought Madison Area CLT new funding relationships, opportunities to write and teach about their experience, as well as a subsequent land donation. The agricultural and conservation elements provided a marketing advantage that helped keep sales strong through a declining market.

By Jeffrey Yuen & Greg Rosenberg

### Project at a Glance

Location:	Madison, WI
Project Category:	Urban Agriculture
Year Completed:	2007
Agricultural Acreage:	10 Acres
CLT Role	Securing Land
Agricultural Activities:	Community Garden, Commercial CSA Farm
Tenure Arrangements for Securing Land:	Fee Simple Ownership, Ground Lease, Deed Restriction, Conservation Easement
Major Partners:	City of Madison CDBG Office, Northside Planning Council, University of Wisconsin, Urban Open Space Foundation
Website:	<a href="http://www.affordablehome.org">www.affordablehome.org</a>
Staff Contact:	Andy Miller, Manager <a href="mailto:andy@affordablehome.org">andy@affordablehome.org</a>

### Lessons Learned

Projects that blend a wide variety of land uses and incorporate a high level of neighborhood involvement, can take a lot of time to develop. It was also important for Madison Area CLT to develop a working understanding of urban agriculture issues in order to serve as master developer for the project, negotiate strong agricultural ground leases, and drive zoning discussions. Finally, Troy Gardens illustrates the wide variety of tenure arrangements that can be used to secure land for urban agriculture.

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- Sawmill CLT (forthcoming)



**Background & Context:**

In 1999, the Sawmill CLT won a development bid from the City of Albuquerque to plan and redevelop a 27-acre site to include affordable housing, economic development, and community gardening spaces. Neighborhood residents also wanted to celebrate the agricultural history of the site, by replanting part of the former apple orchard and by re-establishing the traditional 'acequia' flood irrigation system.

**Implementation:**

In 2008, a six-month community planning process was launched alongside a team of students from the University of New Mexico's Advanced Planning Studio. The students were required to spend time with the community, outside of community garden discussions, in order to better understand the need and concerns of local residents and develop a site plan. The plan originally intended to house a larger 2-3 acre orchard, but the garden was scaled back due to maintenance concerns.

*“ We are really looking to bring folks together around what was the history of this area. ”*

**Challenges**

While the infrastructure work is complete, Sawmill CLT has experienced delays in accessing funding to complete the project. State funds were used to finance the initial stages of the project but were clawed back due to State budget shortfalls. Sawmill CLT is looking to secure grant funds from several foundations to complete the project.

**Benefits**

The project is anticipated to increase healthy food options and economic opportunities for neighborhood residents and generate nominal lease fees to fund on-going garden operations. The project aims to bring people together around the agricultural history of the land and will include educational programming on agricultural techniques and responsible water management practices.

By Jeffrey Yuen & Greg Rosenberg

**Project at a Glance**

Location:	Albuquerque, NM
Project Category:	Urban Agriculture
Year Completed:	In Progress
Agricultural Acreage:	1 Acre
CLT Role	Securing Land, Programmatic Support
Agricultural Activities:	Community Garden
Tenure Arrangements for Securing Land:	Fee Simple Ownership
Major Partners:	City of Albuquerque, United Way, Center for Nonprofit Excellence
Website:	www.sawmillclt.org
Staff Contact:	Wade Patterson, Executive Director wpatterson@sawmill.org

**Lessons Learned**

The community has to be involved from the earliest stages of the process. Sawmill CLT took the time to engage in a community visioning process and developed a plan that responded to the site's unique history and the resident needs. However, progress has been delayed due to funding shortfalls. Meanwhile, Sawmill CLT has utilized other methods to bring agricultural elements to the site and have incorporated a small orchard and community garden outside a senior housing complex.

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- Southside CLT (1996)

### Background & Context:

In the early 1980s, the City of Providence had a large inventory of vacant/abandoned properties and set up a program to auction off tax-delinquent land at nominal prices. Southside CLT purchased a large vacant lot, formerly a chop shop for cars, and looked to create a safe, neighborhood open space for shared food production. Southside CLT partnered with local residents to develop the City Farm site.

### Implementation:

Southside CLT started as a small volunteer-run organization and rehabilitated a ¼ acre site into City Farm over several years. Project funding for implementation and on-going maintenance is provided through donations, grants and revenues from plant sales and commercial produce sold to local restaurants. Southside CLT has since developed a network of 43 gardens and farms across the city – mostly in disadvantaged communities and provides programmatic support by delivering compost, garden supplies, and technical training.

*“There are small areas where urban agriculture begins to become a market activity. Our expectation is that the market relevance will continue to grow over time.”*

### Challenges

Project financing continues to be an on-going challenge as acquisition and development costs are highly dependent on grants and donations, while land prices have stabilized. In response, Southside CLT has created the Providence Community Growers Network to coordinate local efforts at a larger scale.

### Benefits

City Farm helped demonstrate the potential of bio-intensive, sustainable food production within a single urban block. Southside CLT also used the excess produce grown at its sites to develop farmers markets, increasing the organization's visibility and efficacy. Residents have benefited from increased access to healthy foods, open space, and supplemental income from selling produce.

By Jeffrey Yuen & Greg Rosenberg

### Project at a Glance

Location:	Providence, RI
Project Category:	Urban Agriculture
Year Completed:	1986
Agricultural Acreage:	5.5 Acres
CLT Role	Securing Land, Programmatic Support
Agricultural Activities:	Commercial Farm, Greenhouse, Children's Garden, 43 Community Gardens in Network
Tenure Arrangements for Securing Land:	Fee Simple Ownership
Major Partners:	City of Providence, State of Rhode Island
Website:	southsideclt.org
Staff Contact:	Margaret DeVos, Executive Director margaret@southsideclt.org

### Lessons Learned

The Southside CLT is highly experienced and uniquely situated to provide agricultural programmatic support and engage in direct agricultural production. Southside CLT is the only CLT in the county with a sole focus on urban agriculture. Most of the City Farm programs are now financially self-sustaining. However, acquisition and development costs, capital improvements and educational components for the Providence Community Growers Network are still heavily grant dependent.

**Baber, G. (2017). *Affordable Land and Housing for Farmers: Exploring Agricultural and Community Land Trusts for Hawaii* (Rep.). Honolulu, HI: The Kohala Center.**

- Hawai'i has the most expensive ag land prices in the United States and there is a dire need to have more farmland on the island to promote food security. Instead of keeping farmland and affordable housing separate they combined the two -- and offered affordable housing to farmers to live on the land
- Interestingly, they are able to access conservation land trusts which is contrary to the conversation in MN (which is predominantly conservation does not equal sustainable agriculture) -- I am wondering what could be learned from Hawai'i as to how they changed that public perception and and previous legal barriers. Moreover, it was interesting that they noted that very few land trusts have combined affordable housing with affordable agriculture projects
- Project aim: research various structures and models to support a CLT agricultural and affordable housing program in Hawai'i in addition to examining any legislative barriers to starting urban ag CLTs in the area.
- Major challenges they found for farmers include: the actual cost of the farmland as it is way above market price, many ground leases have unfavorable terms for those who leases, and prohibitions on whether or not people can be living on the property makes it difficult because they cannot live there and commute and extra rent costs increase living costs
- Identification of key steps for CLTs to acquire land for affordable housing projects

**To create affordable housing, typically a CLT will:**

- acquire land and maintain ownership of land
- develop housing or assist with self-help housing
- issue long-term (typically 99 year) renewable leases significantly below market rate
- ensure buyer is compliant with home upkeep and maintenance to protect homeowner and CLT investment
- restrict the resale value of homes so a seller earns a portion of the increased property value (appreciation), in addition to recouping the original down payment, in return for affordability. This allows the homeowner to build equity while keeping the price relatively low for the next buyer, even if the open market cost of housing in the surrounding communities increases dramatically.

- Characteristics of successful CLTs

**The key factors that contribute to the success of CLTs are that the:**

- community is integrally involved during key decisions,
- community group takes a long term formal role in the ownership, stewardship or management of the homes,
- benefits to community are clearly defined and legally protected in-perpetuity.

**Community land trusts generally commit to a tri-party governance and board composition of CLT residents, community residents, public representatives.**

- How CLTs can build wealth

Community Land Trusts build wealth for their communities by:

- providing low- and moderate-income people with the opportunity to build equity through homeownership and ensure these residents are not displaced due to land speculation and gentrification.
- protecting owners from economic downturns because people are not over extended; as a result, foreclosure rates for land trusts have been as much as 90 percent less than conventional home mortgages.
- allowing for the possibility of direct, grassroots participation in decision-making and community control of local assets since typically at least one-third of a land trust's board is composed of community residents.

- Potential model includes the following:

*Potential Models for an Agricultural Community Land Trust*

The primary functions for an Agricultural Community Land Trust include an ability to:

- 1.) Hold land through long-term lease or fee simple purchase,
- 2.) Develop and manage housing, and
- 3.) Provide programmatic support – manage farm leases, ag training/mentoring farmers, housing counseling.

One entity could establish and offer all the components (e.g. a CLT) or collaborations and partnerships could be established. For example, a CLT could provide the affordable housing expertise for agricultural land owned by the County or another land trust (e.g. Hawai'i Islands Land Trust), and nonprofits or community groups could offer the programmatic support for farmers. Two model options are presented below.

1. Combined agricultural and community land trust model that:
  - a. provides low or no cost ground leases for farming and housing.
  - b. develops housing and provides support for farmer to build.
  - c. keeps land and housing in an affordable pool in-perpetuity.
  - d. includes the capacity to provide lessees with programmatic support.
  
2. Agricultural land trust that:
  - a. provides low or no cost ground leases for farming and housing.
  - b. does *not* include housing support, so that leesees have to develop housing on their own or with self-help housing technical assistance available from USDA Rural Development, Rural Community Assistance Corporation (RCAC) or other housing agencies.
  - c. keeps land and housing in affordable pool in-perpetuity.
  - d. includes programmatic support for lessees.

Model two requires less capacity-building and no CLT is required for housing. However, without housing development support, the farmer must do more work. Farmers are traditionally less willing to access these types of programs.



- In addition to the above, p. 13 articulates some other important considerations for CLTs to consider when setting up these models.
- Good appendix section with history of CLTs and case studies.
- Potential idea: make a packet like this specific to Minnesota

**Ground Rules: A Legal Toolkit for Community Gardens (Rep.). (2011). Change Lab Solutions.**

- While this toolkit is specifically for community gardens, there are good template documents for a community garden lease agreement, agreement between gardeners and subsequent rules, and a checklist when working with a potential donor
- The aforementioned resources could be utilized when starting up a CLT especially with the member agreements and considerations to have in mind when approaching potential donors

**Yuen, J. (2012). *Hybrid Vigor: An Analysis of Land Tenure Arrangements in Addressing Land Security for Urban Community Gardens*. (Published master's thesis). Columbia University.**

- Thesis statement: Land insecurity is one, if not the greatest barrier to UCG (Urban Community Gardens). This dissertation explores various strategies to overcome the issue of land insecurity and concludes by remarking that there are underutilized opportunities to increase UCG land security through increased public sector role and cross-sectoral partnerships.
  - Loss of land both publicly and privately has left many feeling very frustrated and stagnated.
- Major challenges for UCGs at present include: lack of participant interest and ag knowledge, high start-up costs, prohibitive public policies, insecure land tenure with the latter being cited as the most prominent barrier (see page 6 for citations)
- According to a survey by ACGA in 1998 99.9% of 6000 UCGs surveyed cited land tenure as the most difficult barrier to UCG implementation
  - This study defines 'land security' in two ways. In common parlance, it refers to the objective right to occupy and use physical property. This type of security is objective in that it is embedded in the legal structure and relation to land itself and not premised on the subjective awareness of garden users (Davis, 1991). Put another way, this security is based on legal entitlements to the use of land through formal property rights (Staheli et al., 2002). Buy land security needs to extend beyond the objective realm to include the subjective meaning of UCG spaces and its potential for engendering community formation and mobilization around collective interests.
  - To summarize, land security is not synonymous with holding title; short of owning the land, there are multiple formal and informal mechanisms that can achieve different relative levels of security for those who want to use land for community gardening.
- The root(s) of land insecurity from this author's perspective include:
  - Fundamentally, the challenge of UCG land security is an expression of the inherent tension between different property interests. Property is largely allocated through the 'hidden hand' of the market that maximizes exchange-values to ensure the 'highest and best' use of a given parcel. Tension occurs when use-values are incommensurate with market exchange valuations; this property markets have inherent tensions at their core (Kaufman and Bailkey, 2000; Schmelzkopf, 2002; Harvey, 1973). There is a fundamental contradiction between those whose interests in property are primarily driven by



exchange-value and those whose interests lie in use-values, creating an objective basis from which land use conflict can potentially arise 5 (Davis, 1991

- ^^ this above point is similar to what Rich was talking about in his interview how Eurocentric ways of thinking about land ownership make it really difficult to set up land trusts
- Towards alternative models:
  - Land trusts can provide a great alternative to support UCGs in acquiring land:
    - “Land Trusts are one such alternative form of tenure being implemented to improve UCG land security. A land trust is a legally recognized, non-profit organization that actively works to conserve land opportunities by holding some form of property right and by providing stewardship activities (Land Trust Alliance, 2011). Property rights can be secured through a number of arrangements such as holding fee-simple title, conservation easements and executing use agreements. The ‘stewardship activities’ are wide-ranging and include monitoring, management and enforcement of land regulations (Land Trust Alliance, 2011).
    - Generally two types of land trusts: (1) conservation land trust -- rural land and land itself and (2) community land trusts - urban spaces. However, conservation trusts and starting to move beyond rural to take upon more urban issues and CLTs are starting to move beyond affordable housing to handle other matters
  - In general, there are three major types of land tenureship arrangements through a land trust:
    - Fee-simple ownership
      - UCGs organized in this pattern hold fee-simple title to community gardens. Fee simple -also known as freehold or fee-simple absolute – is the most common form of property ownership and generally has the greatest number of ‘sticks’ in the bundle of ownership rights.
      - Other challenges UCG may experience in this space include organizational mission, funding and capacity, political leverage, internal government regulations
      - Often viewed as the ideal model for starting UCGs it is not without its constraints, most notably the actual acquisition of land
    - Easements
      - Restrictions on land use and are held by entities outside to the title holder
      - Offer greater land security, most common set up is that a private individual still holds title to land but an UCG holds easement
      - Challenge: difficult for smaller parcel of land
    - Use agreements

- Other option is to do long-term (i.e. >99 years lease) however this can be difficult as many individuals/orgs don't want to think that long-term
- It was interesting to note that in this article, in addition to the challenges of the different models outlined above, Yuen also highlights several other challenges that orgs should take into consideration. These include:
  - Org capacity
  - Political leverage
  - Mission alignment and internal governance

### **Varady, Review of Community Land Trust Reader**

- Provides brief historical sketch of CLTs and discusses how it is still seen as an “experiment” today although there is a movement to make it more mainstream
  - CLTs draw from, among others, the work of American economist Henry George (1839–1897), who believed that poverty resulted from private ownership of land by a small cadre of landowners profiting from the appreciation of land values: that is, Georgism. The CLT movement builds on similar movements in other countries where the leasing of community-owned land was pioneered: for instance, the garden city movement in England and the Gramdan movement in India (where gifts of land were made to entire villages). In short, CLTs are not a radical type of land reform. In fact, many CLT pioneers viewed land trusts as preventing communism or socialism.
  - Some critiques of the book include the following:
    - A more serious problem, however, is the absence of evidence to support the contributors’ assertions that a) CLTs promote a sense of community and a sense of empowerment among residents by including them on the board of directors and allowing them to vote on CLT policies, b) low-income residents are willing to forego unlimited wealth accumulation through fee-simple ownership in order to obtain an affordable but limited form of ownership, and c) CLTs can serve as a bulwark against gentrification-induced displacement. These weaknesses notwithstanding, I strongly recommend







### **Community Land Trust Handbook**

- This practical hands-on book is broken into 12 chapters, which are each of the steps to start a community land trust, these include:
  - Intro
  - Starting Out
  - Proving Housing and Allocating CLT homes
  - Forming a CLT - governance and legal structures
  - Making it stack up
  - Tenure options
  - Land and Planning
  - Options for developing the scheme and taking it to completion
  - Stewardship, management, and community involvement
  - Community rights

- Community energy generation
- Community food and farming
- Each of the chapter explores a case study specific to the theme in addition to hands on worksheets and activities.
- Important to note that this resource is (1) UK specific and therefore wouldn't necessarily apply completely to the US context and (2) is specific to affordable housing projects
- I particularly found the following sections useful:
  - Section 2.5 the Mapping Important Partners (essentially a stakeholder analysis) to be extremely useful
  - Section 4.1 on Legal Bodies and explaining how the legal bodies function and what they need to function

**Center for Whole Communities. (2009). *Whole Measures for Community Food Systems: Values Based Planning and Evaluation (Rep.)*. Fayston, VT: Center for Whole Communities.**

- Evaluation toolkit developed to assist UCGs in thinking about the ways in which they want to implement m&e within their programs

	<p><b>Justice and Fairness</b></p> <ul style="list-style-type: none"> <li>• Provides food for all</li> <li>• Reveals, challenges, and dismantles injustice in the food system</li> <li>• Creates just food system structures and cares for food system workers</li> <li>• Ensures that public institutions and local businesses support a just community food system</li> </ul>		<p><b>HEALTHY PEOPLE</b></p> <ul style="list-style-type: none"> <li>• Provides healthy food for all</li> <li>• Ensures the health and well-being of all people, inclusive of race and class</li> <li>• Connects people and the food system, from field to fork</li> <li>• Connects people and land to promote health and wellness</li> </ul>
	<p><b>STRONG COMMUNITIES</b></p> <ul style="list-style-type: none"> <li>• Improves equity and responds to community food needs</li> <li>• Contributes to healthy neighborhoods</li> <li>• Builds diverse and collaborative relationships, trust, and reciprocity</li> <li>• Supports civic participation, political empowerment, and local leadership</li> </ul>		<p><b>SUSTAINABLE ECOSYSTEMS</b></p> <ul style="list-style-type: none"> <li>• Sustains and grows a healthy environment</li> <li>• Promotes an ecological ethic</li> <li>• Enhances biodiversity</li> <li>• Promotes agricultural and food distribution practices that mitigate climate change</li> </ul>
	<p><b>VIBRANT FARMS</b></p> <ul style="list-style-type: none"> <li>• Supports local, sustainable family farms to thrive and be economically viable</li> <li>• Protects and cares for farmers and farm-workers</li> <li>• Honors stories of food and farm legacy through community voices</li> <li>• Respects farm animals</li> </ul>		<p><b>THRIVING LOCAL ECONOMIES</b></p> <ul style="list-style-type: none"> <li>• Creates local jobs and builds long-term economic vitality within the food system</li> <li>• Builds local wealth</li> <li>• Promotes sustainable development while strengthening local food systems</li> <li>• Includes infrastructure that supports community and environmental health</li> </ul>

**8** *Whole Measures for Community Food Systems*

- ^^Pages 18-24 of the report provide in detail a way to measure the extent in which these outcomes are being met

- In addition to the above 6 principles, the guide offers a six-step guide to implementing a m&e protocol for an ag project... this includes:
  - Forming an evaluation team
  - Understanding the rubrics
  - Defining intended outcomes
  - Individual ratings
  - Group Dialogue
- ^^See the following page for a fuller description on how each of these steps looks in action. Moreover, the appendix section of this report details in full how to go about each step.

- Step 1: Forming an Evaluation Team** Pull together a diverse set of project stakeholders with an array of perspectives and experiences who will work together to implement the *Whole Measures CFS* evaluation and make recommendations on how to use the results for program improvement. Provide team with information regarding program activities and evaluation results. Define scope of team's work.
- Step 2: Understanding the Rubrics** Each member on the evaluation team spends time familiarizing themselves with the framework of *Whole Measures CFS*.
- Step 3: Defining Intended Outcomes** Discuss how the fields and practices proposed in *Whole Measures CFS* reflect the organizational or project mission and values and the strategies proposed for building a healthy, food secure community. Clarify the intended project outcomes that will be measured. [Note: The sample outcomes included within the document can be used as a starting point and modified to suit the unique circumstances of the project, organization, or community during the evaluation.]

*For the remaining steps, work on one field at a time. For each of the practices listed in a field:*

- Step 4: Individual Ratings** Each member of the evaluation team rates the overall level of impact for this practice and associated outcomes:
- 3 = Negative Impact
  - 0 = Neutral Impact; made no difference, positively or negatively
  - +3 = Some Impact
  - +5 = Strong Impact
  - 10 = Highest Impact

Narrative ratings may also be used. As individuals rate the outcomes, it is helpful to take notes and make comments on how each person thinks this project (or organization) has or has not achieved the intended impact.

- Step 5: Group Dialogue** As an evaluation team, discuss the individual ratings. Discuss results in a way that promotes learning; helps develop a stronger shared understanding of the project's outcomes, strengths and weaknesses; and points to opportunities for improvement. Come to agreement on key themes and lessons learned.
- Step 6: Utilizing Results** Summarize and share results. Based on the collective understanding of the project's outcomes, create a plan to respond to the current degree of impact in a way that will move the project closer to the highest degree of intended impact.

## Informational Slide Deck

# Feasibility and Equity Best Practices Study for Urban Farmers in the Twin Cities Metropolitan Region: Opportunities and barriers to land access, with attention to the proposed Rent-Sharing Farm Trust (RSFT)

Twin Cities Community Agricultural Land Trust  
In collaboration with  
Vanessa Voller, Center for Urban and Regional Affairs

99% of urban farmers in the United States cite access to land and land tenure as the chief barriers for their success (Yuen, 2014).

The seven county metropolitan area of the Twin Cities experienced pronounced agricultural land loss. Between 1980 and 2000, this region lost nearly 300,000 acres of agricultural land. This loss has only increased since the millenium. (MN Farmland Preservation Manual, 2012)

## Key Definitions for urban agricultural land access

Community Land Trust - a is a mixed ownership arrangement in which a non profit organization in the locale - the CLT - is held accountable to the community in which it is serving to make decisions re land for them (Reallocating Equity article)

Urban Agriculture - a broad term that in general refers to the growing or production of food products (agriculture and/or livestock) in a city or populated town (MDA 2016)

Agricultural Land - any land used for agricultural purposes, or any ecosystem that is modified or created by humans specifically to grow or raise biological products for human consumption (NASA)

Rent Sharing Models - refers to a program in which a proportion of the crop harvest, or yield, is laid by the tenant farmer to the land owner as compensation for occupying and using the rented land. In other words, it is a mechanism for sharing risks with the landlord

## Research Questions and Aims

- Explore the current network of stakeholders, including individuals, institutions, non-governmental organizations, and governmental agencies, who are (or who could be!) involved in the effort to secure long-term urban agricultural land
  - Determine both the feasibility of rent-sharing programs in the Twin Cities and examine the major current successes, challenges, and opportunities for change to engage urban farmers in rent-sharing programs in the Twin Cities metropolitan region
  - Identify what other potential models, outside of the rent-sharing community land trust model, could exist and flourish in the Twin Cities
- 

## Methods

### To-Date

- Comprehensive Literature Scan

### Forthcoming

- In-Depth Focus Groups
  - Qualitative Surveys
-



## Major Findings Literature Review Part I

- Urban agriculture boasts a variety of social, economic, and environmental benefits to communities (Gardening Matters, 2017)
  - However, access to (quality and affordable!) land and land tenure is repeatedly cited as the number one barrier for urban farmers (Armstrong, 2000; M. C. Campbell & Salus, 2003; Hagey et al., 2012; Kaufman & Bailkey, 2000; MacNair, 2002)
  - While many urban areas have a significant number of acres that could be transformed into urban agricultural projects, the low quality of soil, development pressures, zoning restrictions, and high taxation costs pose serious barriers to urban agriculture (Chumbler et al., 2015))
- 

## Major Findings Literature Review Part II

- Potential **benefits** to CLT include: increasing organizational visibility, diversifying their portfolio of services and products, building new partnerships, and promoting organizational resilience (Rosenberg and Yuen, 2012)
  - Potential **challenges** to CLT include: low potential for financial gain, unpredictability in agricultural funding and production, and organizational inertia (2012)
  - Potential **models for tenure arrangement** include: (1) fee simple ownership, ground lease, easement, and deed restriction (Yuen, 2014)
  - Major **implications** for CLT: community engagement and ensuring community buy in for the project, minimizing financial risks and diversifying income streams, combining affordable housing with urban agriculture (2012)
- 

## Major Findings Literature Review Part III

*Comi*

- Key factors that contribute to the overall success of community land trusts include: (1) community is integrally and meaningfully involved during all phases of the project design and particularly during key decisions, (2) community

## 12 Case Studies of CLT Urban Agriculture in the US

- Southside Community Land Trust, Rhode Island (1986)
- Durham Community Land Trust, North Carolina (1992)
- Lopez Community Land Trust, Washington (2003)
- Dudley Neighbors, Inc. (2006)
- Madison Area Community Land Trust, Wisconsin (2007)
- Church Community Housing, Rhode Island (2010)
- Athens Land Trust, Georgia (2012)
- Kulshan Community Land Trust, Washington (2012)
- Sawmill Community Land Trust, New Mexico (2018)

## 5 Common Cases in the Twin Cities Context

Case	Strengths	Challenges	Example(s) in Twin Cities Metropolitan Region
Family Gardens - want income replacement for household, often located on periphery of city	Significant social networks, social capital, and buy-in from local community	Land tenure, coordination, adequate supply, assets	Harvest Garden
Networks of Neighborhood Gardens	Ability to combine both affordable housing and access to affordable food land	Zoning, taxes, land tenure, assets	Urban Farm and Garden Alliance, Stone's Throw, Frogtown Green
Public Land	Significant amount of public land	Provision of public land, land management strategies friendly to sustainable farming, tenure, assets	Frog town Farm, Harvest Park
Farm transitions	Existing good land and infrastructure, often in good proximity to metro markets	Expense of good land, commute time, expensive taxes and infrastructure, policy barriers to more-than-one-family ownerships, urbanization near the farmland, high turnover	Deem, Bacon, and Gardens of Egan Properties, MFA Farm in Stillwater
Individual, Family, or Small Group Market Farms	Considerable interest	Volatile markets	Many!

## Discussion Questions

- What opportunities do you believe exist to better engage farmers, particularly farmers of color and/or under-resourced farmers, in urban agricultural land coordination?
  - Could community land trust rent-sharing models for urban agricultural farmers in the Twin Cities metropolitan region be feasible?
  - Public - community partnerships, like Neighborspace?
  - What are the strengths we can build on? What needs to be built?
- 

## NEXT MEETINGS:

Thurs, Sep 13, 6-8pm: TCALT working groups meeting, Seward Coop Cafe, after Augsburg Farmers as Peacemakers

Friday, October 5th (and Saturday October 6th): Neighborspace!

(TBD: Friday November 16th / Saturday Nov 17th)

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## Conclusion

There is an urgent need to better understand how to support urban farmers in accessing land and land tenure in Minnesota.



# Research Tools

## Focus Group Guide

### Part I Welcome

- Introduce moderator and assistant
- State aims of the focus group
  - Better understand and pinpoint specific challenges to acquiring and keeping agricultural land in the state of Minnesota for individuals and organizations
  - Explore opportunities and barriers to rent-sharing programs for urban agricultural projects in Minnesota
  - Results will be used principally to assist existing and new farmers acquire land and Twin Cities Community Agricultural Land Trust for their programming efforts, and other vested stakeholder groups.
- It is important for you to know that all information shared today will be kept anonymous. Upon completing the focus group session, our research team will transcribe the audio recording and remove any and all identifying information that would link you to the transcript.

### Drafted Script:

Hello and welcome to our session. Thanks for taking the time to join us to talk about access to agricultural land tenure in the state of Minnesota. My name is [INSERT NAME] and assisting me is [INSERT NAMES]. I represent [INSERT INSTITUTION] and Valentine Cadieux, the Principal Investigator for this project, is with Hamline University and the Twin Cities Community Agricultural Land Trust (TCALT). We were asked to help the TCALT staff get some information about the barriers and opportunities to engage farmers of color to help steer the trust and rent from farms, on how to acquire land, and on what necessary expenses the trust can anticipate.

You were invited because of your professional and personal experience in agriculture, public policy, urban and regional planning, and community development.

There are no wrong answers but rather differing points of view. Please feel free to share your point of view even if it differs from what others have said. Keep in mind that we're just as interested in hearing negative comments as positive comments, and at times the negative comments are the most helpful.

You've probably noticed the audio recorders spread throughout the room. We're audio recording the session because we don't want to miss any of your comments. People often say very helpful things in these discussions and we can't write fast enough to get them all down. We will be on a first name basis tonight, and we won't use any names in our reports. You may be assured of complete confidentiality. The reports will first be disseminated to farmers throughout the region and then will go back to the TCALT staff to help them plan future organizational efforts.

We anticipate today's conversation lasting for about two hours.

Does anybody have any questions before we begin?

Well, let's begin. We've placed name cards on the table in front of you to help us remember each other's names. Let's find out some more about each other by going around the table. Tell us your name and where you live and a little about your professional experience that brought you to the table today.

## **Part II: Introduction and Guidelines**

- Our topic is ... access to agricultural land in the state of Minnesota and the role of community land trusts in acquiring agricultural land.
- For the purpose of this session we will be using the following definitions for key words and phrases:
  - Community Land Trust: a community land trust (CLT) is a nonprofit corporation that develops and stewards affordable housing, community gardens, civic buildings, commercial spaces and other community assets on behalf of a community or group of people.
  - Rent Sharing Programs: refers to a program in which a proportion of the crop harvest, or yield, is laid by the tenant farmer to the land owner as compensation for occupying and using the rented land. In other words, it is a mechanism for sharing risks with the landlord
  - Agricultural Land: any land used for agricultural purposes, or any ecosystem that is modified or created by humans specifically to grow or raise biological products for human consumption (NASA)
  - Urban Agriculture: still a rather ubiquitous term but in general refers to the growing or production of food products (agriculture and/or livestock) in a city or populated town
- Guidelines for the Focus Group Session
  - No right or wrong answers, only differing points of view
  - We're tape recording, one person speaking at a time
  - We're on a first name basis
  - You don't need to agree with others, but you must listen respectfully as others share their views
  - Rules for cellular phones and pagers if applicable. For example: We ask that
  - your turn off your phones or pagers. If you cannot and if you must respond to a
  - call, please do so as quietly as possible and rejoin us as quickly as you can.
  - My role as moderator will be to guide the discussion
  - Talk to each other
  - Anything else that the group feels is missing?

### Part III: Opening Question

- What have been some of the successes, your organization/you personally/farmers you know have experienced when trying to access land for urban agriculture projects? (10 minutes)
  - Follow up: Could you give me a specific example of how this/these success/es or shows up?
  - Follow up: What are you and/or your organization currently doing to build upon these successes?
  - Follow up: What more do you believe could be done to build upon these successes?
  - Follow up: What is preventing you and/or your organization from taking steps to building upon these successes?

### Part IV: Discussion Questions

- What have been some of the difficulties or challenges, your organization/you personally/farmers you know have experienced when trying to access land for urban agriculture projects? (10 minutes)
  - Follow up: Could you give me a specific example of how this/these difficulty/ies or challenge/s shows up?
  - Follow up: What are you and/or your organization currently doing to address this/these challenge/s?
  - Follow up: What more do you believe could be done to prevent, or at least minimize, this/these challenge/s or difficulty/ies?
  - Follow up: What is preventing you and/or your organization from taking steps to address this/these challenge/s?
- We have heard from a variety of stakeholders that the major challenges farmers face when trying to access agricultural land include land restrictions and zoning, taxation, land affordability, and [INSERT ANY OTHER MAJOR THEMES]. (10 minutes)
  - Follow up: From your own experience, could you provide any concrete examples of these challenges and how they show up?
  - Follow up: Of these challenges, do any surprise you? If so, why?
  - Follow up: Of these challenges, do any of them seem more important to you than others? If so, why?
  - Follow up: Do any of these challenges less important to you than others? If so, why?
  - Follow up: How visible or invisible do you believe these challenges are? What makes them invisible or visible?
  - Follow up: Of those who have not spoken yet in the circle, does anybody have similar or dissimilar thoughts? If so, could you please share them with the rest of the group?
- We are particularly interested in exploring what potential models would be more (or less) feasible and effective for farmers. Of the following models (community land trust,

rent-sharing program, and [insert any other potential models]) which model do you believe to be most effective? Most ineffective? (10 minutes)

- Follow up: Why do you believe that [insert response of particular model] would be more effective than the others?
  - Follow up: Why do you think that [insert response of particular model] would be less effective than others?
  - Follow up: What specific considerations do you think would need to be taken into consideration with each of these models? Do you have any particular concerns about any of the specific models?
  - Follow up: Of those who have not spoken yet in the circle, does anybody have similar or dissimilar thoughts as to what particular models would be most effective? If so, could you please share them with the rest of the group?
- What, if any, additional challenges or difficulties do you think farmers of color or under-resourced farmers may experience when trying to access agricultural land because of their racial identities and/or socioeconomic and/or citizenship status? (10 minutes)
    - Follow up: Why do you believe these additional challenges or difficulties exist?
    - Follow up: Could you describe a specific instance in which a farmer of color or an under-resourced farmer has experienced [insert participant's response]?
    - Follow up: Of those who have not spoken yet in the circle, does anybody have similar or dissimilar thoughts as to what particular models would be most effective? If so, could you please share them with the rest of the group?
- Do you all believe it would be feasible to implement rent-sharing programs in the state of Minnesota? Why or why not? (5 minutes)
    - Follow up: Of those who have not spoken yet in the circle, does anybody have similar or dissimilar thoughts? If so, could you please share them with the rest of the group?
- How would you advise another organization or individual to best engage farmers to participate in a rent-sharing program? (10 minutes)
    - Follow up: Why would give this advice?
    - Follow up: Would anyone offer and different advice? Why would they offer that advice in contrast or in addition to the previously mentioned advice?
- What additional considerations do you think organizations should consider when working to engage farmers of color and/or under-resourced farmers in rent-sharing programs? (10 minutes)
    - Follow up: Why would you advise organizations to take that into consideration?
    - Follow up: Of those who have not yet spoken in the circle, is there any other advice that anybody would offer? Why would they that advice in contrast or in addition to the previously mentioned advice?



- What opportunities do you believe exist to better engage farmers, and particularly farmers of color and/or under-resourced farmers, in rent-sharing programs? (10 minutes)
  - Follow up: Why do you believe these opportunities exist?
  - Follow up: What actionable steps are needed to capitalize on these opportunities?
  - Follow up: Does anybody have anything else to add? Or anything that has been said that they do not agree with?
  
- Could you describe some of the necessary expenses a community land trust could anticipate when opening for operation? What would these expenses depend upon? (10 minutes)
  - Follow up: Does anybody have any other expenses that they think need to be added? Or any expenses that were shared that they do not believe a CLT would incur?
  
- Is there anything else you would like to discuss today or that you believe is missing from our conversation? (5 minutes)

**Part V: Conclusion**

- Of everything we discussed today, what points were most compelling to you and why? What were your major take-away points? (5 minutes)

## Survey

*(Please note that a living Google form of this survey can be accessed by following this link:*

<https://docs.google.com/forms/d/18LZUvrLAzngBFwvFJ6mVEpO9ijykH3KCT1cVX1C5EWg/edit>)

- What, if any, have been some of the successes your organization/you personally/farmers you know have experienced when trying to access land for urban agriculture projects?
- What, if anything, are you and/or your organization currently doing to build upon these successes?
- What, if anything, more do you believe could be done to build upon these successes?
- What, if anything, is preventing you and/or your organization from taking steps to building upon these successes?
- What, if anything, have been some of the difficulties, or challenges, your organization/you personally/farmers you know have experienced when trying to access land for urban agriculture projects?
- What, if anything, are you and/or your organization currently doing to address this/these challenge/s?
- What, if anything, more do you believe could be done to prevent, or at least minimize, this/these challenge/s or difficulty/ies?
- What, if anything, is preventing you and/or your organization from taking steps to address this/these challenge/s?
- Of the models that you are aware of (such as community land trusts, rent-sharing groups, co-ops, or other models) -- which do you believe would be most effective, feasible, and desirable? Please rank the following models in the order you would prioritize putting effort into them. (1 = most effective, feasible, and desirable and 5 = least effective, feasible, and desirable)
- Why do you believe that your number one ranking would be more effective/feasible than the others?
- Why do you think that your last ranking would be less effective/feasible than others?
- What, if any, specific considerations do you think would need to be taken into consideration with each of these models? Do you have any particular concerns about any of the specific models?
- What, if any, additional challenges or difficulties do you think farmers of color, indigenous farmers, or marginalized farmers or other food producers may experience

when trying to access land because of their race and/or socioeconomic and/or citizenship status?

- What are you and your organization doing to address these challenges?
- Are you interested in learning more about how you can become more involved in agricultural land access initiatives for urban farmers in Minnesota?
- Do you have any other comments or anything else you would like to share?

# Organizational Recommendations and Next Steps

## Short-Term (within next 12 months)



**Create common internal language for TCALT to use when discussing the topic of CLT rent-sharing models for urban agricultural projects in the Twin Cities that can be used externally when interacting with vested stakeholders.** By creating a common shared language about CLT rent-sharing models a unified message can be presented to both the urban agricultural farmers in the Twin Cities and the broader Twin Cities community about the topic.



**Conduct a robust stakeholder analysis to identify a supportive and collaborative network with other NGO, governmental, and citizen actors in the region and identify their relative strengths, gaps in capacity, and interests as it relates to a supra-interest of ensuring food security, food justice, a resilient food system in the Twin Cities metropolitan area.** By better understanding the needs and realities of local vested stakeholders, TCALT will be in a better position to support the broader regional effort of supporting a resilient food system in the Twin Cities metropolitan area.

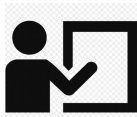


**Increase public awareness about the CLT and rent-sharing model.** By increasing public awareness and educating the public about CLT and rent-sharing models, TCALT can take one step towards ensuring that Minnesotans are aware of the CLT model and how it could benefit their community in multiple ways.

## Mid-Term (within next 2 years)



**Explore what strategic partnerships and opportunities exist to combine affordable housing efforts with urban agricultural projects in the Twin Cities metropolitan area.** By leveraging the current political movement and public support for affordable housing in the Twin Cities metropolitan area, TCALT may be able to gain more political and public capital for their efforts.



**Invite CLT experts from across the United States to share their practices with interested groups in Minnesota.** By learning best business, legal, and operational practices from the leading CLTs in the United States, interested groups in the Twin Cities can learn how they can utilize a CLT rent-sharing model to assist in their urban agricultural efforts.

## Conclusion

Sustained access to land is the chief barrier for urban agricultural farmers across the United States. The Twin Cities metropolitan area is not different. Land insecurity bars many existing and new farmers from entering the field. It is imperative for city planners, public health officials, policy makers, landscape architects, and citizen-consumers to consider ways they can support a resilient and sustainable food system in the urban context.

A CLT rent-sharing model is an effective tool to support urban agricultural farmers in gaining sustained access to land. Across the United States, a CLT rent-sharing model has proven to be a powerful tool for change. For example:

- The Athens Community Land Trust in Athens, Georgia recently expanded to two different sites and boasts four major urban agriculture programs, including (1) a Community Garden Network, (2) Farm to School campaign, (3) Vendor Development technical assistance, (4) Young Urban Farmers educational program, and (4) a collaborative farmer outreach and engagement program. In 2016, 36 young farmers (under the age of 25) were employed by the Athen CLT, 58 market vendors were trained, and nearly 800 students visited the Athens CLT campus to learn about urban agriculture ([Athens CLT Annual Report](#), 2016). Their farmer's markets generated nearly \$68,785 in the 2016 summer season alone (2016).
- Dudley Neighborhood Inc. in Roxbury, Massachusetts recently transformed 30 acres of formerly vacant land into 225 new affordable homes, a 10,000 square foot community greenhouse, urban farm, a playground, gardens, and other amenities of a thriving urban village ([Dudley Neighbors, Inc.](#), 2018)
- Lopez CLT in Lopez Island, Washington provides not only organic and nutritious foods for the residents of the CLT who live on-site but also provides training in the Food Safety Lab, access to sustainably produced meat products through their Mobile Processing Unit, and education about seed preservation ([Lopez CLT](#), 2018)

These are only a handful of examples of the multiple ways in which CLT supported urban agriculture can benefit and, ultimately, transform communities.

This report provides an exploratory analytic summary of the current challenges community land trusts (CLTs) face in implementing urban agricultural projects across the United States in addition to the best practices and lessons learned in implementing such projects. Moreover, this report provides a set of preliminary research tools, including a survey and focus group guide, for TCALT to implement in the future to better ascertain the unique challenges and opportunities for innovation that urban agricultural efforts that wish to employ a CLT model in the Twin Cities metropolitan area.

Future research could examine (1) the specific zoning and taxation policies in Minnesota that would pose challenges to a CLT supporting an urban agriculture projects, (2) the possibilities for engagement of a joint affordable housing-urban agriculture project, and (3) how to change popular and political discourse that pits conservation and agriculture as to separate efforts.

## Additional Resources

**Rosenberg, G. (2013). Urban Agriculture Project Decision Project Matrix. Retrieved from <http://cltnetwork.org/wp-content/uploads/2014/01/FINAL-Urban-Agricultural-Decision-Matrix-4-2013.pdf>**

This guide was developed by the National Community Land Trust Network to assist community land trusts in evaluating new urban agriculture projects. It is a companion to the Lincoln Institute of Land Policy Working Paper entitled "Beyond Housing: Urban Agriculture and Commercial Development by Community Land Trusts", by Greg Rosenberg and Jeffrey Yuen. The guide discusses the following aspects when considering the immediate feasibility and long-term sustainability of an urban agricultural project: the mission and vision of the project, the need and demand the project is fulfilling, the costs, the funding streams, outreach and community engagement, and how the urban agricultural project can ultimately benefit the CLT.

**CITI Network, (2011). Chapter 16: Non-Residential Ground Leases. Retrieved from: <http://cltnetwork.org/wp-content/uploads/2014/07/16-Nonresidential-CLT-Ground-Leases.pdf>**

This chapter (1) details and outlines possible non-residential situations that a CLT consider addressing, (2) highlights the basic considerations involved in establishing lease terms, and (3) describes the purpose of a CLT becoming involved in an urban agricultural project. The chapter highlights that, "A CLT's purposes in leasing land for agricultural use may include the following

- Providing affordable access to land for new farmers.
- Providing access to fresh, locally produced food for local residents.
- Promoting ecologically sound use of local land.
- Protecting open space and preserving a "working landscape" that is seen as an essential part of the community's identity.

**Rosenberg, G. & Yuen, J. (2013) Recorded webinar Beyond Housing: How CLTs May Contribute to Urban Agriculture. Retrieved from: <https://www.youtube.com/watch?v=F6E67qDs-E8&feature=youtu.be>**

This recorded webinar explores the three primary roles CLTs can play in urban agricultural projects: (1) securing land, (2) programmatic support, and (3) direct production.

First the webinar outlines the four models that a CLT could employ for securing land, which include: (1) Fee Simple Ownership, (2) Ground Lease, (3) Deed Restriction, and (4) Conservation

Easement. The benefits to fee simple ownership include that it ensures long-term security and a high level of control, however, the disadvantages to this model include working through restrictive property taxation policies, overwhelming community members with multiple responsibilities and obligations, and potentially a high cost of land. The benefits to the ground lease model include that it is low cost and, again, ensures a high level of control. However, the disadvantages to the ground lease model include its legal complexity, transaction costs and performance standards. The deed restriction model is again low cost and ensures agricultural use, however, it is difficult to enforce and there is a significant risk of non-compliance during the transfer of titles. And finally, conservation easements are effective tools for restricting land use to agriculture, however, there is no security of land tenure for the grower and a significant risk of noncompliance during the transfer of titles.

Beyond securing land, CLTs can support urban agricultural projects by offering programmatic support such as facilitating educational outreach programs, offering technical assistance and training volunteers, and providing other forms of capital (i.e. tools, seedlings, etc.) to the project.

And thirdly, the webinar outlines how CLTs can assist in direct production of the agricultural goods.

*\*\*\*Please note that the powerpoint slides from the recorded webinar *Beyond Housing: How CLTs May Contribute to Urban Agriculture* can be accessed by following this link:*

[http://cltnetwork.org/wp-content/uploads/2013/12/Beyond-Housing-webinar\\_slides\\_4.19.13-FOR-WEBSITE.pdf](http://cltnetwork.org/wp-content/uploads/2013/12/Beyond-Housing-webinar_slides_4.19.13-FOR-WEBSITE.pdf)

**Common Ground USA, (2012). *Setting Up Rent-Sharing Trusts in Minnesota.***

In their seminal report titled, *Setting Up Rent-Sharing Trusts in Minnesota*, Common Ground USA detailed how a rent-sharing farm trust could be implemented in a rural Minnesota context paying particular attention to its organizational structure (i.e. a Public Benefit Corporation vs. Non-Profit Land Trust), rent-sharing feature, and the specific steps that would be needed to develop such a trust. The authors of the report conclude, “Though challenges remain, the findings of this report -- and the encouragement provided by those interviewed for it -- show that it is worthwhile to continue trying to set up a Rent-sharing Farm Trust in Minnesota” (p.9).