

## Land Access

# Urban Land Access Case Studies & Video Resources

## OVERVIEW

These case studies were put together by Detroit Black Farmer Land Fund, Detroit Black Community Food Security Coalition and are about Black Detroiters who often have fought to own their land they have been working for years without formal rights to “ownership”, knowing who the owner of the land is, how to contact the owner or even how to go about purchasing the land for themselves or their organizations.

## SUPPLIES NEEDED

One of the following items:

- Equipment to show videos:
  - Projector + Screen
  - TV
  - large computer screen
- Case Study handouts

### Alternate Supplies

- Someone to read the case studies aloud
- Guest speakers to discuss their land access journey



## KEY TERMS

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**Land Access** Practical ways farmers get land.

**Urban Land Banks** Land Banks manage vacant land, homes and buildings in cities and often:

- Connect farmers and gardeners with land at a reasonable cost
- Collaborate with organizations, governments, and urban farms
- Offer resources

But Land Banks can be a challenge! They might enforce plant height regulations, favor developers over farms or be slow and disorganized.

**Land Funds** Acquire land for conservation or community goals.

**BIPOC Farmer Land Funds** Land funds to support land access for farmers of color, often focused on Black, Indigenous or refugee land access.



## KEY TERMS

**Detroit Black Farmer Land Fund:**

A coalition of 3 long-standing Detroit urban farming organizations on a collective mission to rebuild inter-generational land ownership for Black Farmers in Detroit.

**Change of Use:**

In urban agriculture this refers to converting non-agricultural land or property into designated space for farming. It involves obtaining permits, meeting regulations, and adapting the land for agricultural activities. This process allows underutilized urban areas to be transformed into productive spaces for growing food, promoting food security, community resilience, and environmental sustainability.

**Side Lot:**

Land adjacent to someone's home in a city or suburb. Ownership and usage subject to local regulations, but is often easier and lower cost than accessing land not adjacent to your home. Side lots can be used for farms, home gardens, community gardens, youth education and food security.

**Neighborhood Lot:**

Lot must be within 500 ft of property you own and occupy.

**Neighborhood support:**

Residents within a community coming together to assist and collaborate on local farming initiatives. It involves providing resources, knowledge, labor, and encouragement to sustain projects like community gardens or rooftop farms.



## KEY TERMS

### **Zoning:**

Community rules for land uses that vary by area. Zoning terms:

- By Right: Already allowed by zoning!
- Conditional: Decisions based on how uses affect neighbors.
- Not Allowed: Some uses are banned in the whole zoning district.

Examples of Zoning districts include Residential, Commercial, Industrial, Agricultural

### **Guerilla gardening:**

Growing gardens in neglected urban spaces without title to the land or a formal lease. Community support and conversations with neighbors often replace written land access rights. Guerilla gardeners often aim to enhance urban aesthetics, create green spaces, promote biodiversity, increase access to fresh produce, and raise awareness about sustainable gardening. While legally ambiguous, guerrilla gardening serves as peaceful civil disobedience to challenge conventional land use practices and promote greener cities.

### **Squatters' Rights:**

Legal protections for individuals or groups who cultivate vacant urban land or inhabit abandoned homes without permission or ownership. Based on adverse possession laws, these rights can grant usage or ownership over time. In urban ag, squatters' rights can provide access to unused spaces for food production. Application varies by local laws.

### **Land Trusts:**

Land trusts buy development rights to protect farmland or nature. The landowner is paid the difference in value as farmland vs. the value as a building site. to sign a legally-binding document to avoid activities, like dividing the property, building homes, etc. We need urban land trusts, but they tend to focus on rural land.



## Case Studies #1

Ashanti grew up in Detroit and started farming part-time as a practice of beautifying her neighborhood, feeding her family and community fresh fruits, vegetables and herbs not commonly accessible in her area and building a business as a supplemental income stream. She began by growing on vacant lands she did not own on the Eastside of Detroit near her residence. No one was using the land. After several clean up days, it proved to be fertile and safe to use for agricultural production based on soil tests completed. She wanted to expand her production so she began leasing land owned by a grassroots community organization she admired for their mission, values and impact close to her neighborhood. After one season of this leasing arrangement, she wanted to put more energy into buying her own land so she could own outright and pass on to her children. She was in search of at least 5 vacant lots which amount to about 16,000 square feet. Her farm business was expanding and she needed more growing space and security to take her business plan to the next level as well as secure more financial support from public sources such as grants, community donations and more.

The first time Ashanti attempted to purchase land from the Detroit Land Bank Authority (DLBA), her neighbor brought the lots she wanted after she had begun the purchasing process. The second time a white family who relocated from Detroit and wanted to sell their house and land while also supporting Black farmers who needed land offered her a land contract at a perceived discount. While she was interested in purchasing a house with land (approximately 3 lots) attached, the private sellers failed to reveal many of the amendments the house needed which would increase the amount of the money needed to make it livable for her family. In addition, that particular area of the city was heavily prone to flooding so using the land for consistent agricultural production was not ideal.

Then, she searched in a different neighborhood in the city and found 6 lots for purchase. She applied for the lots from the DLBA by submitting a completed application, site plan, proof of funds, development timeline and estimate of total development costs.



## Case Studies #1 (cont.)

Several advantages made this a hot pick for Ashanti:

- This neighborhood was located less than a few miles from her new residence.
- 6 consecutive lots was more space she had ever had the opportunity to purchase.
- The location of the lots made it a safe and viable spot for a state-of-the-art rainwater catchment system.
- The soil test produced desired results for planting immediately in the ground which removed the need for raised beds and seasons of soil restoration.

After a few weeks of settling into the space, several disadvantages of this land purchase came to light:

- The neighbor, adjacent to her property, is consistently “combative” when Ashanti is there.
- Part of the property is wooded with trees she doesn’t want there but the neighbors want then to stay as a visible shield and green space in the area.
- The corner location of the property is prone to people trampling through the plants along the border/sidewalk.

The “combative” neighbor complains of Ashanti not honoring her boundaries and disrupting her long-term activities she has been doing on the lots Ashanti purchased such as hosting family gatherings. Ashanti thought the DLBA notified neighbors when a land purchase adjacent or across from their house was initiated. Thus, she did not reach out to this particular neighbor or others in the area about her plans for the land. Ashanti is troubleshooting how to build better relations to include the neighborhood in her visions for the land as an apothecary, orchard and vegetable farm.

Ashanti loves her new farm home, in spite of the challenges she has experienced. She has high hopes for the expansion of her farm business to be a stronger stream of income for her family so she doesn’t have to work so many off-farm jobs. She is in the process of seeking legal counsel, fundraising support, and community partnerships to move her business plan forward.



## Case Studies #2

Corey moved to Detroit in search of affordable land for urban farming and urban ecosystem restoration. He wanted to develop a rainwater garden, native pollinator habitat, mini food forest and community healing space under his non-profit corporation. This vision is an extension of his family's intergenerational farm prior to the white terrorist theft decades before. His family involuntarily moved from Alabama generations prior after being run off of their family land they tended since the Reconstruction era. He heard of the vibrant urban agriculture movement in Detroit and the massive amount of vacant land available which was unique for a U.S. city. After making some community connections, he was gifted a vacant lot on the Westside of Detroit by an anonymous donor after sharing his story through a crowdfunding campaign. He received a quit claim deed and became the official owner of that land.

His vision necessitated more space so he began to inquire about groups of vacant lots for purchase. His non-profit corporation networking led him to a community organization that advised him to secure a group of 5 lots that looked untouched by anyone else on the Eastside. He inquired with the DLBA about purchasing the land and started working 2 lots prior to completing the official purchase process. This is a common practice called "guerilla gardening" as well as other names. He believed it was his right to work the land and do something positive with it while the city not only kept the land untouched for over 10 years, but kept it blighted which was a community eye sore and safety hazard. He spent tremendous money and energy cleaning up the garbage, regularly cutting the grass, digging trenches for eco-restorative plans and much more. The purchasing process with the DLBA was taking much longer than he expected. He had challenges keeping up with the email communication with the case manager, as well as continuing to submit requested documentation the DLBA needed to move the purchasing process along. He did not have access to legal counsel or other types of technical assistance to support navigating the difficult process of purchasing the land.



## Case Studies #2 (cont.)

He was not aware that he accrued several blight tickets on the vacant lot he acquired through a gift on the other side of the city. While still in the purchase process, he began fighting the blight tickets due to the unfairness of the city imposing non-blight standards on him when much of the city-owned land is blighted. He could not afford to pay the tickets as well as the costs of the land. He obtained legal counsel from the Great Lakes Law Center and advocacy and technical assistance support from the Detroit Black Farmer Land Fund (DBFLF) to use his non-profit corporation for a 50% community discount on the price as well as a DBFLF land award that enabled him to purchase the land with minimal financial contribution from him. He has received various grants through his non-profit status and has taken advantage of community volunteers to implement the vision he has of reviving his family's land work from Alabama to Detroit.



Land Access

## Introduction to Urban Land Access

### How do you do this?

In a small group or class discussion read through the Vocabulary and Case Studies.

Based on the Case Studies, what are the opportunities and challenges both beginning farmers faced as they seek a secure land tenure situation?

Look up or discuss any terms that were unfamiliar.

What are some themes you are seeing with in the case studies?

How do you navigate the complicated realities of land ownership?



## What does it mean for my farm?

In your group reflect and grapple with ideas of ownership. How does this affect your goal setting for your future farm or land stewardship project?

**Discuss with co-learners the observations and how they:**

- What type of farm or educational garden are you planning to start on the land?
- Describe your current land situation.
- Do you have land?
- What sites are you considering?
- What challenges or barriers have you run into?
- What advice would you share with others that are looking for land?
- Share out 2 questions and answers with the full group using stickie notes.