



# **Queen City Gardens Plan Planning for Community Gardens in the City of Buffalo**





## **Acknowledgements**

Community Gardeners

City of Buffalo Staff

City of Buffalo Task Force on Community Gardens

Curbside Croft

Department of Urban and Regional Planning, State University of New York at Buffalo

Grassroots Gardens of Buffalo

Massachusetts Avenue Project

Ryerson Polytechnic

Toronto Food Policy Council

Respondents from case study communities

This project was partially supported by a grant from the Canadian-American Studies Grant Program.

## **Editors**

Susannah Barton

Elizabeth Ludington

Fenna Mandalong

Derek Nichols

Eric Poniatowski

Danielle Rovillo

## **Contributors**

Susannah Barton

James Bragg

Elizabeth Drag

Kelly Ganczarz

James Kistner

Elizabeth Ludington

Rachel Maloney

Jonathan McNeice

Fenna Mondolang

Derek Nichols

Eric Poniatowski

Danielle Rovillo

Mary Walls

Mike Watrous

2009

PD 592

Planning for Food Justice

Dr. Samina Raja

Department of Urban and Regional Planning

State University of New York at Buffalo



# Table of Contents

Chapter 1: Introduction	
What is community gardening and urban agriculture?.....	5
Purpose of the report.....	7
Goals and Objectives.....	8
Layout of the report.....	8
Chapter 2: Background and Literature Review	
History of community gardening .....	11
Benefits .....	16
Common locations for community gardens .....	25
Land tenure arrangements.....	29
Designs and models of community gardens.....	31
Chapter 3: Report Methodology.....	35
Chapter 4: State of Community Gardens in Buffalo	
Need for community gardens in Buffalo.....	41
State of community gardens .....	46
Residents' visions for community gardens in Buffalo.....	53
Chapter 5: Legal and Planning Considerations	
Charter and the Code of the City of Buffalo.....	59
City of Buffalo Plans.....	62
New York State Law.....	64
Chapter 6: Best Practices in North America	
Nationwide survey of community gardening policies.....	69
Case studies of four cities.....	82
Chapter 7: Recommendations.....	99
Resource Guide.....	105
References.....	111
Appendices	
A: New York State Laws.....	117
B: Berkeley, California Laws.....	123
C: Washington, D.C. Laws.....	127
D: Boston, Massachusetts Laws.....	129
E: Rochester, New York Laws.....	133

Planning for Community Gardens in the City of Buffalo

F: Austin, Texas Laws.....137  
G: Portland, Oregon Laws.....141  
H: Seattle, Washington Laws.....143  
I: Community Visioning Agenda.....153  
J: Grassroots Gardens Application.....155  
K: Community Garden Lease.....161  
L: Toronto’s Food Charter.....175  
M: Assessment of the Food System.....179  
N: Model General Plan Language.....183  
O: Considerations for Siting Community Gardens.....189





# Introduction

“Community gardens, are the first sign of [people’s] commitment to [their] community.”

## WHAT IS COMMUNITY GARDENING AND URBAN AGRICULTURE?

Community gardens are communal green, open spaces where residents gather to garden together. “Community gardens, are the first sign of [people’s] commitment to [their] community. When people plant corn they are saying, let’s stay here. And by their connection to the land, they are connected to one another”( Raver, 2009).

Community gardens may exist on large lots of land or on small, tucked-away parcels. Community gardens may exist as a single-shared garden where gardeners work on the same piece of land, or as a cluster of small plots on a single site where each gardener tends to individual plots or beds within the garden. Some gardeners grow food for their own sustenance, while others grow food to sell and derive an income. Some grow food to give away (Barlett, 2005). In the United States, community gardens exist on publicly-owned land, on land owned by institutions, community groups, land trusts, or by private individuals. There are about 18,000 community gardens in the United States, and the interest in community gardening continues to grow (Raja, Born, Kozlowski Russell, 2008).

The Urban Agricultural Committee of the national Community Food Security Coalition defines urban agriculture, which includes but is not limited to community gardening, as the growing, processing, and distributing of food and other products through intensive plant cultivation and animal husbandry in and around cities. Community gardening, and more broadly urban agriculture, is transforming urban communities all over the nation. Community gardens contribute to food security by providing healthful, affordable produce, transform vacant lots into lush green spaces, and provide a civic space for people to gather. In recent years, community gardening has emerged as a successful strategy to reuse abandoned, litter-filled vacant lots in inner cities transforming them into well-maintained, green and productive spaces. Community gardens are distinct from parks in that they are the result of collaborative efforts of community members. Community gardening and urban agriculture are a creative, grassroot strategy for city greening.

Community gardening and urban agriculture are not an entirely new idea. In the late 19th century, for example, the practice of community gardening and urban farming was fairly popular in the United States. They were, in part, a response to the economic crisis at the time. Community gardens at this time were often subsidized by local and federal governments to enable residents to produce food for sustenance (Schmelskopf, 1996).



Apart from the historic role of community gardens and urban farms as sites of food production in times of economic hardship, landscape architects also recognized the importance of pastoral landscapes in urban settings. For instance, Frederick Law Olmsted - who created a nationally recognized interconnected park system in Buffalo - saw the potential of bucolic green spaces in “fostering community and using the restorative effects of natural scenery to counteract the debilitating forces of the modern city (Broderick, 2008).” Olmsted saw green spaces, such as community gardens, as a public entitlement and “strove to bring the landscape as close to as much of the urban population as possible, so that all could benefit from it” (Broderick, 2008). In fact, Olmsted and Nolen, both eminent planners cited community gardens as one of six types of public grounds to be included when planning a city. In recent years, planners and municipal policymakers have begun to revisit Olmsted and Nolen’s vision and have started to recognize the importance of community gardens and urban agriculture in building greener cities that are both ecologically sustainable and socially just (Brown, 2002).

Contemporary community gardening and urban agriculture efforts are also a reaction to the broken food system in the United States. A century ago approximately 50% of the population lived in rural communities in close proximity to their food source. Today, the complex, global, and industrialized nature of the food system has removed people from their source of food (Brown, 2002): foods travels about 1500 miles from farm-to-fork (Raja et al. 2008). While many enjoy the advantages of this globalized food system, it also has resulted in significant social, economic, public health, and environmental costs to society. Many urban neighborhoods are ‘food deserts’ with limited access to fresh produce. Resurgent interest in community gardening is, in part, a reaction to these systemic failures.

Despite their growing prevalence and significance, community gardens and urban agriculture are relative newcomers to the arena of public policy. As recently as a decade ago, very few cities had municipal policies and plans directly related to community gardens (City Farmers, 1996). Even today, many cities, including Buffalo, do not plan for the growing urban phenomena of community gardens (Schukoske, 2000). Outdated municipal policies, zoning ordinances and codes are failing to capitalize on the potential of community gardening to transform neighborhoods. In some worst cases, outdated municipal policies have become an impediment to community gardens and urban agriculture. Nonetheless, a growing number of cities around the country have begun to plan for creating and sustaining community gardens. The City of Buffalo has embarked on this path as well.

-----



The development of a comprehensive and sustainable community gardens initiative must effectively address the protection and recognition of community gardening as a viable land use and as an important component of neighborhood sustainability.

## PURPOSE OF THIS REPORT

Buffalo is an ideal candidate for developing a comprehensive approach to planning for urban, community-based gardening. Approximately 50 community gardens already exist throughout the City and numerous nonprofit organizations are poised to aid in their further development.

Furthermore, the city of Buffalo, like many older U.S. cities, is home to a vast amount of vacant land. Traditionally, vacant land in older industrial cities is viewed as a problem symptomatic of a declining population base and economic stagnation. However, in Buffalo, this vacant land presents a unique opportunity for innovation in reuse and redevelopment. The urgent need to address this abundance of vacant land paired with a strong sense of community in the City of Buffalo offers a tremendous potential for the city to become a model for innovative community gardening policy and practice.

To capture this unique opportunity, Buffalo must first remove several constraints facing community gardens. The development of a comprehensive and sustainable community gardens initiative must effectively address the protection and recognition of community gardening as a viable land use and as an important component of neighborhood sustainability. Buffalo has taken initial steps in this direction.

In 2008, the Buffalo City Council established a Community Gardens Task Force to initiate a community gardening dialogue in the City of Buffalo, and to study and recommend a future course of action on community gardens within the City of Buffalo. The Task Force solicited research and planning assistance from graduate students enrolled in a course on 'Planning for Food Justice' in the Department of Urban and Regional Planning at the University at Buffalo. The students team, henceforth referred to as the Queen City Garden (QCG) team, were asked to research the state of community gardens in the City of Buffalo, review municipal policies on community gardens in other cities in the United States, and make recommendations on how best to create and sustain community gardens in the City of Buffalo.

After an initial discussion with Task Force members, the QCG team developed a planning framework for this undertaking. The team conducted an intensive literature review of municipal plans and policies for community gardens; assessed the state of community gardens in Buffalo; evaluated the legal and regulatory framework governing community gardens in Buffalo and New York state, and reviewed case best practices nationwide.

The team also conducted visioning sessions to understand Buffalonians' view of community gardening and their desire for their neighborhoods. These sessions helped the community express thoughts on gardening and vacant land use that further supported the need for a comprehensive gardening initiative for the City of Buffalo. The goals and objectives of this Queen City Gardens initiative were



developed in accordance with the ideals that were expressed during meetings with the Task Forces and community visioning sessions.

## GOALS AND OBJECTIVES

The goals of this document, the Queen City Gardens Plan, are to foster and protect sustainable community-based garden projects throughout the city. In accordance with the City's 2004 Comprehensive Plan, the Queen City Gardens plan aims to enhance the cultural, physical and social environment and provide means for stimulating interaction between community members through the creation and continuance of community gardens.

This action plan is the first step towards a comprehensive, citywide, community-based approach to creating and sustaining community gardening in Buffalo. A diverse partnership is necessary to implement the recommendations of this document. The Community Gardens Task Force will pioneer this effort, but without the integral partnership of gardeners, neighbors, city staff and leaders, this plan will not succeed. Champions of the community, government officials and neighborhood residents must work together to take this plan to the next phase of implementation.

The strategies and actions recommended within this document are supported by case studies and best practices developed throughout North America and New York State as well information derived from public participation. The Queen City Gardens plan outlines a set of recommendations to enhance the City's pending Comprehensive Land Use and Zoning Code. They suggest a unique partnership between City Hall and the greater community as well. These recommendations are imperative to successful protection and recognition of community gardening.

The goals of this document, the Queen City Gardens Plan, are to foster and protect sustainable community-based garden projects throughout the city.

-----

## LAYOUT OF THE REPORT

This report is divided into seven chapters. Chapter one provides an overview of community gardening and urban agriculture. Chapter two draws on the literature to document the history of community gardening and urban agriculture in the United States. It describes the numerous benefits of community gardening. The chapter also documents the diverse land tenure arrangements under which community gardens exist and thrive. The chapter concludes with a description of community gardening models and garden designs.

Chapter three explains the methodology underlying the QCG plan Chapter four analyzes the need for community gardens in Buffalo, the current state of community gardens in Buffalo and documents gardeners' perspectives.





Chapter five reviews municipal and state laws. This chapter provides an in depth analysis of the City of Buffalo Charter and Code, city zoning codes and the city’s comprehensive plan; the chapter also reviews the New York State law on community gardens, the New York State agriculture and markets law, as well as additional regulatory mechanisms applicable to community gardens in the City of Buffalo.

Chapter six explores best practices of community garden planning from cities throughout the United States and North America in order to develop a holistic and comprehensive plan for Buffalo’s community gardens.

Finally, this report concludes with a set of recommendations presented in chapter seven. The report also includes a resource guide that may be helpful in implementing the Queen City Gardens plan.





# Background & Literature Review

## HISTORY OF COMMUNITY GARDENS

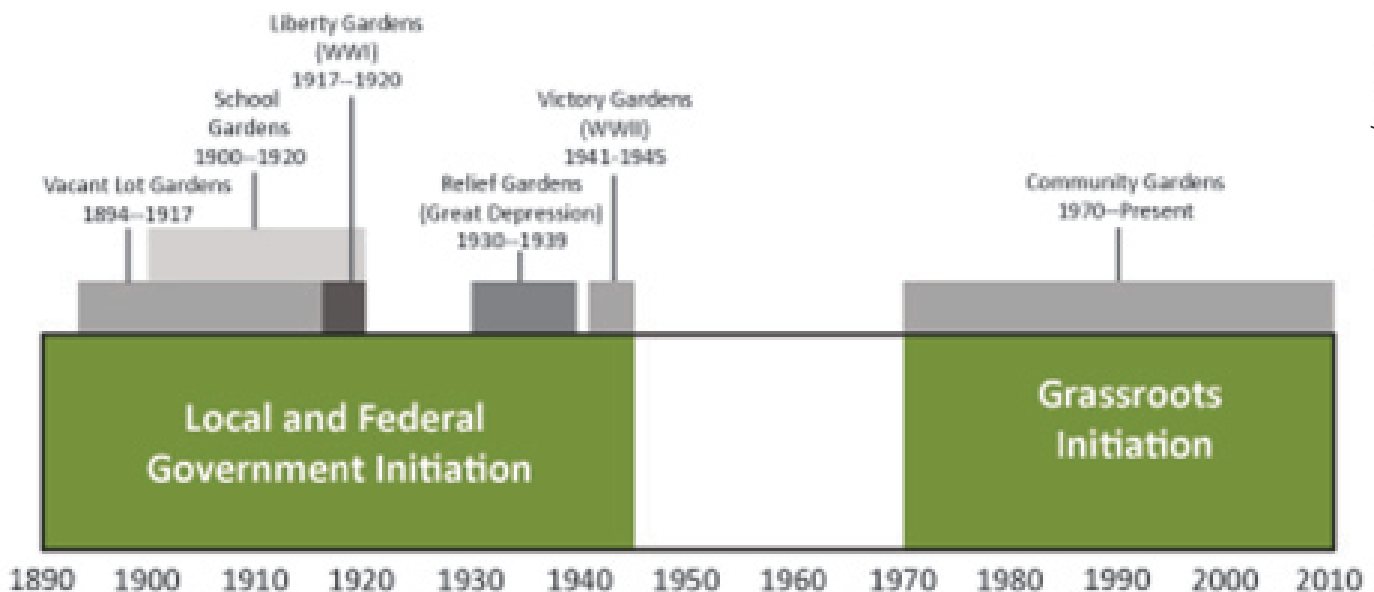
The history of urban community gardens dates back to the City Beautiful and Social Reform Movements of the 1890s. Figure 2-1 illustrates specific food community garden movements over time.

Broadly, the community garden movements can be divided into two categories: those predominantly initiated by local and federal government (1894-1945) and those initiated by grassroots efforts (1970-present). The main difference is that the community gardens from 1894-1945 were seen as temporary solutions to address immediate issues at hand, such as the two World Wars or the Great Depression, while from 1970-present gardeners see community gardens as permanent components of their communities.

### *First Community Gardens (1894-1920)*

Between 1890 to 1920, food community gardens served numerous purposes such as beautification, food and income generation for the unemployed, and youth education and recreation (Bartlett, 2005). Two types of community gardens, vacant lot and school community gardens, were common at this time. The primary purpose of vacant lot community gardens was to provide a source of employment for those without a job. Workers were compensated with modest wages generated from the sale of crops. Vacant lot community gardens are important in the history of food community gardens because they introduced the notion of a relief effort in which people help themselves instead of receiving handouts. Vacant lot community

Figure 2-1: A timeline illustrating history of community gardens in the United States



Source: Bartlett, 2005 and Lawson, 2005  
Created by: Eric Poniatowski



gardens failed for numerous reasons. Generally, the land was donated because it was unfavorable for residential or commercial development - often it would also be unsuitable for cultivation. Not all community garden supervisors had knowledge of community gardening and management. Finally, at times vacant lot community gardens lacked participation (Lawson, 2005).

School community gardens emerged as a result of societal desires and events at the beginning of the twentieth century (figure 2-2). Child labor laws were created that restricted children from working long days in factories. Consequently, they had more unsupervised time. There was a societal push to teach children about plants, animals, and farming. It was also common for adolescents to drop out of school before reaching high school. If they were not planning on attending college, parents felt it would be wiser to spend tuition money on vocational training not provided in the classroom. As a result, school community gardens sought to bring vocational aspects to the classroom (Lawson, 2005).

Source: Security Pacific Collection/Los Angeles Public Library



*Figure 2-2: A school garden in Los Angeles, 1913*

Initially, school community gardens were supported by philanthropic organizations, such as women's or horticultural clubs, but later received governmental support. In 1914, the federal government set up the Bureau of Education's Office of School and Home Community Gardening that assisted public school community gardens through publications, promotion, and funding. The school community garden movement lost support when World War I began and the Bureau of Education's Office of School and Home Community Gardening closed in 1920. However, the concept of a school community garden sustained over time and regained momentum decades later (Lawson, 2005).

Beautification resulted from community garden projects, regardless of their initial agenda. The creation of vacant lot and school community gardens coincided with the goals of the City Beautiful and Social Reform Movements. Replacing blighted lots with food and flowers not only made an area more aesthetically appealing, but also



“could cultivate good taste and potentially change people’s character, habits, and social behavior” (Lawson, 2005, 97).

#### *Community Gardens During Times of Crises (1917-1945)*

From 1917-1945, food community gardens reflected three major events: World War I, the Great Depression, and World War II. Community gardens during the two world wars promoted patriotism while community gardens during the Great Depression were a primary source of work and food for the unemployed.

While food community gardens during the two world wars shared the same spirit of patriotism and involved people of all income levels and social groups, their methods differed. During World War I, the main goal of community gardens was to increase food supply in order to feed soldiers overseas. The campaign encouraged U.S. citizens to eat more fruits and vegetables and to grow these on any type of idle land, from vacant lots to backyards. During World War II, however, community gardens were not so much a food source but rather designed for nutrition, beauty, and recreation. World War II community gardens, referred to as Victory Gardens during the time period, were promoted by media, governmental agencies, and women’s and community garden clubs as a form of recreation. Working in the community garden was seen as a healthy way to take people’s minds off the war. Community gardening, as a form of recreation, is a lasting impact of World War II community gardens. Figure 2-3 is a Victory Garden in New York City.



*Figure 2-3: A victory garden in New York City, 1944*

Source: Library of Congress, photo no. LC-USW 3-42632-D

Food community gardens during the Great Depression were intended to combat the massive unemployment by providing some form of work that was compensated by modest wages. Work-relief and subsistence gardens were the two types of community gardens during the Great Depression. The goal of work-relief community



Source: Lange, 1936. Courtesy of the Library of Congress



Figure 2-4: A subsistence garden El Monte, California, 1936

gardens was to grow food and then distribute it. In these community gardens, people were hired and paid. Subsistence community gardens, on the other hand, focused on people growing their own food (figure 2-4). People participating in subsistence community gardens received access to seeds and tools. Subsistence community gardens were the more common among the two (Lawson, 2005).

#### *Faded Interest in Communal Community Gardening (1945-1970)*

Community gardening at a national scale diminished in the twenty-five years following World War II. The growth of the suburbs allowed more people to garden in their backyards. As a result, the desire to garden communally decreased.

#### *Community Gardens (1970-Present)*

The dramatic urban decline as a result of suburbanization and social problems of racial discrimination resulted in a “renewed interest in urban community gardening” in the 1970s (Lawson, 2005, 214). During the 1970s and 1980s, community gardens were started through grassroot efforts in many blighted city neighborhoods as a revitalization effort. With the increased interest and renewed involvement in community gardening, the American Community Garden Association (ACGA) was established in 1979. Its purpose is to provide “opportunities for networking between community garden organizations, to develop an information clearinghouse, and to help establish new programs” (Lawson, 2005, 232). Currently, the ACGA has between 500 to 600 members (American Community Gardening Association, 2009).

In addition to being sources of food, nutrition, recreation, and beautification, modern urban community gardens strive to carry much more powerful impacts than their predecessors. They are referred to as community gardens because, as their name states, they encompass communities. The vision of community gardeners is for community gardens to be sustainable components of the urban



Today, there are approximately 18,000 community gardens in the United States.

fabric. Prior to the community gardens movement of the 1970s, community gardens were considered temporary features. These “new” community gardens respond to comprehensive and deep social conditions and environmental concerns, not a single event or purpose. Community gardens have also served as a form of cultural expression from the 1970s to the present (Lawson, 2000).

Today, there are approximately 18,000 community gardens in the United States. However, it is difficult to get an exact number because many community gardens exist as informal spaces (Raja, Born, Kozlowski Russell, 2008). These 18,000 community gardens fall into three broad types: ornamental, food, and economic. The primary goal of ornamental community gardens is beautification and, these community gardens can range from simple to elaborate. An example of a simple ornamental community garden is a group of neighbors clearing a vacant lot covered with trash and planting whatever they are able to afford or get donated. An elaborate community garden would be one designed by landscape architects or horticultural experts for an exposition or prominent city location.

One current social issue in the United States is food insecurity which is “the lack of access to healthy, affordable, culturally appropriate, nonemergency food sources” (Caton Campbell, 2004, 341). Food insecurity affects many poor inner city neighborhoods that have been abandoned by large supermarkets. Food community gardens are an alternative source of affordable produce. They can be plot based or communal based. In a plot community garden, an individual harvests crops in a designated area of the community garden while in a communal community garden, all participants share the crop harvest of the entire community garden.

Community gardens with an economic development objective employ workers and/or sell the plants and food grown. These community gardens are closely related to urban farms, and can serve as nurseries, as well as produce vendors. Community gardens with an economic objective can also strive to provide transferable job skills to its employees. An example of this is a community garden that employs at risk youths.

It is common for community gardens to have multiple objective. One case is an urban farm run by Growing Power, a non-profit organization based in Milwaukee and a national leader in urban agriculture. The organization, started in 1999, addresses the issue of food insecurity by striving to improve community food systems. Growing Power has urban farms in Milwaukee and Chicago (Figure 4-5). In addition to a food source, Growing Power’s urban farms are a place of education and employment (Growing Power, 2009).

Food community gardens today are typically supported by non-profit organizations and local government agencies. Unlike community gardens in past eras, modern community gardens strive to be permanent fixtures, not temporary solutions to current crises or



Source: Philipott, 2008



Figure 2-5: A Growing Power garden in Chicago.

issues. In order to become a permanent part of the urban fabric, there is an emphasis on strong community garden management. Community gardeners recognize that those individuals leading the development and maintenance of a community garden must have strong leadership, management, business, and communication skills and a knowledge of horticultural, public policy, and consensus building (Lawson, 2005).

Today, gardening has more public visibility than ever before. For example, First Lady Michelle Obama has created a garden on the White House grounds this spring. While it involves some children from a local school, it is not a community garden per se because the majority of the food grown will be used for meals at the White House. However, the main purpose of this garden is to bring attention to the importance of healthy eating and community gardening at a national level (Burros, 2009).

### *Lasting Impacts*

Vacant lot and food community gardens during the Great Depression introduced the concept of relief where people help themselves instead of receiving handouts and the notion of a community garden working to improve social and behavioral attitudes of people. School community gardens merged academic disciplines such as science and nutrition with job training skills. Liberty community gardens demonstrated that urban food community gardens can be used as a means to increase food supply.

-----

## BENEFITS OF COMMUNITY GARDENS

Community gardens are a unique public space that can offer many benefits to participants as well as the communities in which they are located. "Through community gardening projects, residents





Community gardens are a unique public space that can offer many benefits to participants as well as the communities in which they are located.

appropriate abandoned and misused land to create places of beauty, reduce fear of crime, and discourage illegal dumping and other undesirable activities” (Allen et al 2008).

Communities take an often unattractive space and beautify it. In the process, the addition of a community garden can improve the environment in terms of waste water, soil remediation and air quality.

One of the main benefits of community gardens is that they provide food, especially to low-income participants who do not always have access to fresh produce. This is helpful for both their nutritional needs as well as their food budget.

Community gardens also help the local economy. The addition of a community garden can increase neighboring property values. Community gardens reduce crime, vandalism and littering in neighborhoods.

They are also an excellent way of helping community members interact positively with one another. Desirable social values such as responsibility and citizenship are passed from generation to generation in a community garden.

Community gardens can improve the quality of neighborhoods. They provide a public space and a sense of community. They both foster diversity and encourage cultural identity. Community gardens offer the community a public place to meet and discuss neighborhood issues. This often leads to increased civic engagement of participants.

Additionally, participants often gain an increased level of ecological consciousness. They become more informed about the environment and the food system. Community gardens provide an ideal location for children to both learn and play.

Finally, community gardens offer a source of physical activity. Community gardening can improve nutrition and physical health. The calming effect of being in touch with nature and getting fresh air can improve the mental well being of community gardeners. The addition of greenspace in urban areas can have a similar calming effect on the community as a whole.

### **Nutrition and Healthy Living**

Perhaps the most obvious benefit, community gardens can fill an important void in the urban food system. Community gardens improve access to fresh produce (Egger 2007, Lawson 2000, Aliamo et al 2008, Allen et al 2008). They allow residents to directly address their own food security (Lind 2008). “Community gardens as one component of urban agriculture raise social consciousness about where our food comes from, and illuminates how food systems are intertwined and symbiotic with city life” (Egger 2007).

Urban areas often have pockets where access to food is limited by the inability of the residents to travel to grocery stores (Pothukuchi 2005). “Community gardens have the potential to mitigate costs



associated with consuming fruits and vegetables, and to reduce the need for transportation to grocery stores in urban areas” (Aliamo et al 2008). They are especially important in these low income neighborhoods, providing access to fresh produce. Community gardens can even positively impact the nutrition of those who rely on food banks: community gardens often donate thousands of pounds of fruits and vegetables annually to charity (Macias 2008).

Beyond access to produce, another important consideration for low income neighborhoods is the cost. “Community gardening has been shown to decrease people’s food budget, while providing fresh, locally produced fruits and vegetables to the community gardeners, their friends and neighbors and to food relief programs” (Lind 2008).

Source: Edible Portland, 2008.



*Figure 2-6: An example of an urban food garden in Portland, Oregon.*

Nearly 12 percent of US households cannot afford food at some point during the year (Macias 2008). “Patricia Hynes estimates a fifteen by fifteen foot community garden plot can yield up to five hundred dollars worth of food in a growing season” (Hynes, 1996). A study of upstate New York community gardens estimates a savings of between \$50 and \$250 per season in household food costs (Armstrong 2000). Community gardening helps residents become more self-sufficient (Hansen 2008, Jarosz 2008, Lawson 2000, Schukoske 2000).

Community gardens and community gardening are beneficial for health in terms of improved nutrition and increased exercise (Lind 2008). “Results showed a lower prevalence of obesity, overweight and depression, as well as increases in physical activity and consumption of vegetables and fruits” (Trull 2008). Several studies have noted that community gardeners have an increased frequency of fruit and vegetable consumption (Armstrong 2000, Aliamo et al 2007, Robinson-O’Brien et al 2009). Community garden participants have “greater consumption of fresh vegetables...lower consumption of sweet food and drinks” (Egger 2007). School community gardens are particularly important for this as “there is evidence that participating in school community gardens increases children’s preferences for vegetables” (Aliamo et al 2008).

The physical exercise associated with community gardening is extremely beneficial. People who walk or community garden on a regular basis generally have a change in total cholesterol, systolic

A study of upstate New York community gardens estimates a savings of between \$50 and \$250 per season in household food costs.



blood pressure and HDL levels (Armstrong 2008). “Community gardening is ranked as moderate to heavy intensity physical activity and has been shown to lower cholesterol and blood pressure” (Trull 2008). A study of community gardening in a senior center showed improvement in the health of the community gardeners. Community gardening was an activity they enjoyed and were able to participate in (Austen 2005).

### **Beautification**

One of the most tangible benefits of a community garden is the change in landscape that it inherently provides. Community gardens fight urban blight (Smith & Kurtz 2003). From what is often a run-down or abandoned lot, a greener landscape can emerge. Community gardens can easily “green areas that lack municipal parks” (Schukoske 2000). This effect is especially important in areas where the residents cannot afford to easily access recreation (Eizenberg 2008).

Beautification is one of the advantages of community gardens that benefits the neighborhood as a whole. “Research has found that community gardens are valued by community gardeners and non-community gardeners much like a park or other public green space” (Meehan 2007).

### **Economic Benefits**

Equally important to personal economic benefit is community economic benefit. Community gardens help with neighborhood economic development (Lawson 2004), encourage urban entrepreneurship (Smith & Kurtz 2003), and increase neighboring property values (Voicu & Been 2008). Community gardens are an ideal laboratory in which to teach job skills in both horticulture and business (Smith & Kurtz 2003) and provide youth employment (Schukoske 2008). Community gardens can also increase the bond between residents and their neighborhood history (Eizenberg 2008), which can lead to tourism (Schukoske 2008).

Community gardens can raise neighboring property values by as much as 9.5 percentage points within five years of the community garden’s opening.

According to a New York City study, community gardens increase the property value of neighboring lots. Leaving the lots vacant will “have a significant and negative effect on the surrounding commercial property values before the community garden is established, indicating that the vacant lot or other pre-community garden use was a serious disamenity” (Voicu & Been 2008). However, after opening, the community gardens have a positive impact on surrounding residential property values, which grow steadily overtime.

According to the study, community gardens can “raise neighboring property values by as much as 9.5 percentage points within five years of the community garden’s opening” (Voicu & Been 2008). The closer the neighboring property is to the community garden the greater the benefit. Community gardens bring “significantly larger benefits” in lower-income neighborhoods.



Additionally, a cost/benefit analysis was run for the local city government supporting a community garden. “In the end, [the researchers] estimate that the city gross tax benefit generated by all community gardens over a 20-year period amounts to about \$563 million. Under the scenario in which the local government would have fully subsidized the community garden provision, the city’s total investment would have amounted to about \$83.5 million. Thus, the estimated net tax benefit would be...per community garden, over \$750,000” (Voicu and Been, 2008).

### **Environmental Remediation**

Not only do community gardens make urban spaces more beautiful, they also improve the environment. Community gardens have a positive impact on the water within cities. They can use cisterns to collect rainwater, which can be used to water the plants (Karvonen 2008), and help with storm-water retention (Meehan 2007). Further, “community gardens as green space can also improve air quality and reduce the ‘heat island’ microclimate condition common to urban areas” (Egger 2007). Community gardens promote biological diversity, bioremediation for polluted soil, and nutrient cycling as well (Egger 2007, Lawson 2000, Meehan 2007).

### **Teaching Life Skills**

Related to the benefit of job skills training, community gardens provide an environment for community members to teach life skills to youth. Especially important is the intergenerational interaction. In a study conducted in Flint, Michigan “adults who participated in community gardens and beautification activities reported spending significantly more time with the local teenagers and children than non-participating residents” (Allen et al 2008). The adults and youth not only community gardened, but they got to know one another. “These adults can become mentors, fulfill some parental functions when a child’s own family resources are strained, and provide information, support, and advice” (Allen et al 2008). Values taught through community gardening include responsibility, work ethic and delayed gratification, as well as negotiation, conflict resolution and communication skills. This lead to “enhanced self-esteem, self-efficacy, coping and competence, as well as decreased delinquency, suicidality and violence” (Trull 2008). These “skills may better prepare these youth for academic challenges and the demands of the workforce” (Allen et al 2008). Community gardens are part of an important social network for teaching these desired behaviors.

### **Safety**

Community gardens have a well documented ability to improve the safety of communities. The payoff is rapid: “an immediate impact of community gardens is often their use of vacant lots where trash and rubble are removed, improving the space” (Egger 2007). Community gardens have a lower incidence of prostitution (Schmelzkopf 1995,

Community gardens create defensible space; their existence minimizes vacant escape routes for criminal perpetrators.



By having power over the physical space, the community develops an identity.

Smith & Kurtz 2003), drug use (Schmelzkopf 1995, Smith & Kurtz 2003), littering (Armstrong 2000, Schukoske 2000, Smith & Kurtz 2003, Egger 2007), graffiti (Egger 2007), and vandalism (Armstrong 2000). Community gardens create “defensible space”; their existence minimizes vacant escape routes for criminal perpetrators (Schukoske 2000). Schmelzkopf describes the transformation in New York City community gardens: “Lots that have been transformed from junk-laden spaces complete with hypodermic needles, empty crack vials, and rusting appliances into productive places full of color, camaraderie and safety” (1995).

### **Sense of Community**

Another significant benefit community gardens bring is a sense of community. It is the advantage most mentioned in the literature. Community gardens provide an opportunity for neighbors to become friends, provide a physical place for people to come together, facilitate a sense of belonging to the community, and increase pride in the community.

“Before the community garden, we knew each other; after the community garden, we became friends” (Austen 2005). Since 1985 the National Association of Community Gardening in the US has emphasized that community gardens are social spaces that can connect neighbors (Egger 2007). As was mentioned previously, intergenerational friendships are formed. “Both youth and adults attested to the family-like bonds that evolved as a result of the community garden programs” (Allen et al 2008). The friendships extend beyond the community garden gates into the community: “relationships built in the community garden space led to further socializing outside of the community garden space” (Glover, Parry & Shinenew 2005).

The community garden also provides a physical meeting space. It has the potential to be the “social center of a community” (Egger 2007). Community gardens can evolve into something more than a place to grow vegetables. They become a symbolic focus and place of neighborhood pride (Armstrong 2000). “Recent research findings on community gardens suggest that while improving neighborhood appearance and access to fresh fruit and vegetables, community gardens can also enhance neighborhood satisfaction, pride, and social capital...” (Allen et al 2008). This increased neighborhood pride connects back to the economic benefits: the community gardens can become the focus of tourism. “People could visit [the community gardens] and they will have a curator that can tell them about their history and their importance to the neighborhood” (Eizenberg 2008).

Community gardens are ideal facilitators of social capital, social networks, and sense of community. “Community gardens build community capital because they are created by and for individual communities, and participants are the primary stakeholders and develop their own social networks” (Austen 2005). “There is a strong



sense of connection that is gained from all the work of building, designing, community gardening, socializing, and struggling for the community garden” (Eizenberg 2008). By having power over the physical space, the community develops an identity (Eizenberg 2008). “Today, community gardens are a popular and widespread community-enhancing tool, as they enable citizens to make positive changes to their physical environments, and their social environments by building social capital” (Lind 2008).

### **Culture and Diversity**

The seeming opposites of reinforcing culture and encouraging diversity are at home together in community gardens. In a study of community gardens in Boston’s South End researchers found that “African-American and white community gardeners tended to agree that community gardening brings together people who would not normally socialize together” (Meehan 2007). It is well documented that community gardens bring together people from different racial backgrounds (Egger 2007, Schukoske 2000, Bahnson 2006, Meehan 2007). “The literature also suggests that the nature of the community gardening space may allow and promote interaction between groups that do not normally socialize elsewhere” (Meehan 2007).

Community gardens also are a unique and valuable place for people to reinforce their culture through food. “A frequently cited example of cultural expression are the Casita community gardens that first appeared in the Lower East Side of New York and later in other cities” (Lawson 2000). Casita community gardens are prominent among Puerto Rican populations having a small house (casita) in the center of the community garden. This type of casita and community garden would be found in Puerto Rico and is emulated in New York City, Philadelphia and other cities. Additionally, community gardens allow people to plant food specific to their culture. “Most prominent, though not exclusive to farm community gardens, is the use of the space for the cultivation of vegetables and herbs that are part of the ethnic cuisine but are not available for purchase or are generally unaffordable” (Eisenberg 2008).

### **Civic Engagement**

The sense of community is a powerful thing within the community. The literature reflects that citizens who are involved in community gardens are more likely to be involved in the political process (Meehan 2007, Egger 2007, Macias 2007, Eizenberg 2008, Glover et al 2005, Smith & Kurtz 2003). Community gardens provide a location for residents to “meet each other, socialize, and learn about other organizations and activities” (Armstrong 2000). In a study of community gardens in Lansing, Michigan this civic engagement was demonstrated: “One community gardener began volunteering at a local farmers market, and another got involved in his local

Research has found a positive correlation between time spent in community gardens and political citizenship of community gardeners.



Research suggests community garden-based education may lead to improved academic achievement.

neighborhood association” (Egger 2007). Research has found a positive correlation between time spent in community gardens and political citizenship of community gardeners (Meehan 2007).

“The simple process of cleaning up an abandoned piece of property by planting flowers and vegetables affects the physical environment and represents a form of grassroots activism whereby neighbors take control and address some of the issues facing their communities, and in turn, identify and mobilize around other issues confronting their communities” (Lind 2008). This phenomenon is important for poorer communities. Community gardens are a way of “promoting local pride and citizen participation, especially in poorer communities that may be lacking in other public amenities” (Macias 2007). The study of community gardens in upstate New York noted improved social networks and organizational capacity especially in lower income and minority neighborhoods (Armstrong 2000).

“Community gardens can help reverse the negative trends in social capital and provide the cohesiveness and collective energy needed to begin making neighborhood change” (Egger 2007). In upstate New York community gardens led to maintenance of other property in the neighborhood (Armstrong 2000).

### **Ecological Consciousness**

Community gardeners gain a better understanding of where their food comes from. “Environmental activism is embedded in the community garden movement” (Lind 2008). With the increasing emphasis on sustainability and environmental responsibility, community gardens are meeting an educational need. “They offer a space where deep reconnection with nature can happen, fostering an affection for nature and a sense of being able to manage nature in a harmonious manner that is a model of sustainability” (Eisenberg 2008). This knowledge can then pervade the community at large: “Perhaps, most significantly, community gardens have the potential to raise the community’s conscience about environmentally sustainable food practices such as eating locally, seasonally, and organically, which may, in turn, influence purchasing habit” (Egger 2007).

### **Education**

Community gardens teach children about nature, food and nutrition. “From learning the basics of food to the values of cooperation, children can greatly benefit from these community gardens” (Hansen 2008).

As the previous section discussed, community gardens can be associated with schools. “Schools throughout the country may consider integrating community garden-based education into the curriculum as part of the school wellness policies required by the Child Nutrition Reauthorization Act of 2004, as research suggests community garden-based education may lead to improved academic achievement” (Robinson-O’Brien, Story, & Heim 2009). A study



of community gardens in North Chicago, Illinois noted that this educational benefit was one of the main reasons that participants chose to participate in the community garden: “Working on a community garden project lets me learn more about how my food is grown” (Scott-Tunsall 2007).

The Massachusetts Avenue Project (MAP) in the City of Buffalo is an educational community garden. MAP is a local non-profit organization that serves the city’s West Side and provides employment opportunities for youth in the neighborhood. In addition to teaching youth about urban farming, MAP has many associated programs. One is Growing Green Works. This program focuses on business and marketing where youths sell and promote food products created at MAP, such as its salsa (Massachusetts Avenue Project, 2009).

### **Recreation**

Although it is often referred to as “work”, working in a community garden also provides recreational activities. Community gardens are especially valuable in areas where there is a lack of playground and affordable programs for children (Eisenberg 2008). “Children often use the space as a natural playground, both running through the community garden and investigating the diversity of plant and animal species” (Lind 2008).

### **Mental Health**

Finally, the community garden provides an excellent venue for relaxation and improving mental well being (figure 2-7). Several studies note the positive relationship between community gardens and green space and improvement in ADD (Allen et al 2008, Lind 2008, Trull 2008): green space “supports children’s healthy development through creative play, thereby for example helping



*Figure 2-7: Gardens, such as the Magnuson Garden in Seattle, provide a tranquil setting that coincides with mental health and therapeutic recreation.*





A study of a community garden in a senior center observed a decrease in geriatric depression among seniors who engaged in community gardening.

children with ADD function better and decreasing the severity of their symptoms” (Lind 2008).

“Noted psychologists Rachel and Stephen Kaplan point out that availability of nature meets an essential human need; fortunately it is a need that is relatively easy to meet. A community garden patch, some trees nearby and a chance to see them can all be provided at a minimal cost” (Egger 2007). A study of community gardens in Saskatchewan emphasized the benefit women received from working in the community garden: “Women highlighted the role the community garden played in relieving stress. The combination of being outside in the sun and nurturing living things was almost like therapy” (Hansen 2007). Another study of a community garden in a senior center observed a decrease in geriatric depression among seniors who engaged in community gardening (Austen 2005).

The positive effects of community gardens are diverse and far reaching. In addition to the benefits mentioned in this section— beautification, civic engagement, culture & diversity, ecological consciousness, environmental remediation, economic benefits, education, food security, mental health, physical health, recreation, safety, a sense of community and teaching positive social behaviors— community gardens offer a glimpse into the intersection of planning and life. “The community gardens can be thought of as real-life laboratories of urban planning and development...a genuine process of public participation, rather than a tokenism of participation” (Eizenberg 2008).



## COMMON LOCATIONS FOR COMMUNITY GARDENS

Community gardens exist in a variety of location in urban areas. Community gardens on public housing premises account for 16.3%, school grounds for 8.2%, mental health or rehabilitation facilities for 1.4%, senior centers for 1.4%, and job or economic development programs for 0.4% (American Community Gardening Association, 1998). The locations of community gardens described in this report are neighborhood, public housing, school, health institution, and university.

### **Neighborhood**

According to the 1996 American Community Gardens Survey, neighborhoods are the most common location for community gardens comprising 67.4% of all community gardens (American Community Gardening Association, 1998). Community gardens in neighborhoods have three purposes: leisure, entrepreneurship and you development. Leisure community gardens are community gardens grown for the benefit of the community gardener. In San



Francisco, these types of community gardens usually have between 20 and 50 small plots where community gardeners grow flowers and vegetables (Ferris, et al 2001). They are often varied and reflect the neighborhood's unique character. This type of community garden is ideally suited for the use of vacant lots, and is generally maintained by a block club or community organization (Mikolajewski 2002).

Las Parcelas (figure 2-8), the central community garden of Philadelphia's Norris Square Neighborhood Project is an example of a neighborhood community garden serving a leisure purpose. Initiated by Iris Brown in 1990, the community garden is a gathering place for the Puerto Rican neighborhood. A former blighted vacant lot, the area of the community garden has transformed from a home to drug dealers to an area with luscious plants and a large mural (Norris Square Neighborhood Project, 2007).

Entrepreneurial community gardens in neighborhoods are driven by the desire to invigorate economic development in generally

Source: Wiland, H. & Bell, D, 2006



*Figure 2-8: Las Parcelas is a neighborhood garden and community gathering place in the City of Philadelphia*

distressed areas home to low income residents, at risk youth, and adults who are unemployed, disabled, and/or homeless. These community gardens provide paid work opportunities to people in the neighborhood. Community garden managers strive to provide its employees with basic job, technical, and leadership skills as they work in the community garden (Lawson, 2005).

Neighborhood community gardens with a youth focus are run through a municipality or a nonprofit organization rather than through a school. In addition to providing food and education about plants, youth community gardens offer job skills training such as personal responsibility and working well with a team (Mikolajewski 2002).

### **School**

A school community garden is located on the premises of or near a primary or secondary school, and its purpose coincides with the educational and curricular goals of the school (Mikolajewski 2002). These community gardens can have flowers, vegetables, and even livestock. Activities in school community gardens also try to reach



out into the community through parental involvement in the gardens (Ferris et al 2001).

The Edible Schoolyard is one example of a school community garden (figure 2-9). It is located at Martin Luther King Jr. Middle School in Berkeley, California. While managed as a non-profit, the students and staff in the middle school remain closely involved. The purpose of the program is to educate the 800 or more students at the school on how to grow, harvest, and prepare nutritious seasonal produce. The two main components of the Edible Schoolyard are a community garden and a kitchen. The community garden is one acre and located adjacent to the school, and the kitchen is a separate building from the school next to the community garden. The food systems concepts at the Edible Schoolyard are integrated with school curriculum (Lawson, 2005; The Edible Schoolyard, 2009).



Source: Orenstein, 2004

*Figure 2-9: Children and adults work side by side in the Edible Schoolyard in Berkeley, California*

## **Public Housing**

Community gardens encompass a wide range of activities and purposes. This is evident in a community garden located within a public housing complex. Public housing community gardens are essentially a neighborhood community garden with education, youth, and entrepreneurial components. This is clear at the St. Mary's Urban Farm at Alemany Public Housing in San Francisco (figure 2-10). The Alemany Resident Management Corporation, the non-profit organization that runs the urban farm, believes that the community garden can address "the root causes of violence by providing youth with meaningful opportunities for advancement" (Alemany Farm, 2009). The urban farm provides at risk youth with educational and job training opportunities.



*Figure 2-10: St. Mary's Urban Farm at the Alemany Public Housing site in San Francisco strives to both reach out to youth and beautify the location*

## **Institutions**

Community gardens exist within the premises of different types of institutions. Community gardens associated with health institutions are primarily used for patient therapy. They are used by adults and children with physical, psychological and developmental disabilities or for hospice purposes. In both cases, their purpose is to improve the quality of life of these individuals by giving them time to work in and enjoy the community gardens (American Horticultural Therapy Association 2009). One example of a community garden at a health institution is the San Francisco General Hospital. The hospital has a vegetable community garden designed by Alain Kinet that provides food to patients (Ferris et al 2001).

Gardens are also on college campuses. Depending on the school, campus community gardens can be community, demonstration, or researched based. Community gardens associated with a university strive to bring affiliates of the university and local residents together. Demonstration community gardens are those that serve as a "living museum" of the latest horticultural trends and innovative growing techniques. Research community gardens are a laboratory for students and professors in disciplines such as biology or horticulture.

An organic garden, which began in February 2009 at Southwestern University, is an example of a university community garden. Located in Georgetown, Texas, the university's new garden can be classified as a community garden because it brings a wide range of people together: university students, faculty, and staff and local residents work in the community garden. "It has 18 plots, some of which are designated for personal use and others that will generate produce for the community" (Southwestern University, 2009).

The University of Delaware Botanic Community Gardens is a demonstration and research community garden. The Botanic Community Gardens serve as a classroom for students who study in



programs such as horticulture and landscape design. The Botanic Community Gardens hosts horticulture expositions and sells the plants grown in it. Members of the university and City of Newark community are encouraged to volunteer with the Botanic Community gardens assisting with greenhouse maintenance, record keeping, and special events, but no food is grown there (University of Delaware, 2009).

The University of Wisconsin's Eagle Heights Community Garden started in 1962 to provide university students opportunities to garden organically. The Eagle Heights garden is located next to university-provided student housing. Gardeners at this location speak over sixty different languages, which demonstrates a high level of cultural diversity. These gardens provide educational, recreational, and nutritional opportunities for students (University of Wisconsin, 2009).

-----

## LAND TENURE ARRANGEMENTS

The issue of who owns the land in a community garden is essential to the success or failure of the gardens. There are three main types of land tenure agreements: public, private and land trust.

### Gardens on Public Lands

Public gardens are the most common type of garden. In these community gardens, the land can be leased by a private or a non-profit organization from the city or the garden can be designated



Source: Eric Poniatowski, 2009

*Figure 2-11: Street Synergy Community Association Garden is a public community garden in the City of Buffalo.*



as a community garden. A non-profit organization, or occasionally an individual, can lease a parcel or section of land from the city for the purpose of gardening. Short term leases are a good option for starting gardens in a city or community with no prior history of community gardens. Leasing publicly-owned land for community gardens is the prevailing arrangement in Buffalo, New York. See Appendix K for an example of the Buffalo, New York lease. The American Community Gardening Association recommends securing an initial lease of at least three years (ACGA). The city plan for Madison, Wisconsin goes a step further by recommending five year leases within its comprehensive plan.

Gardens can also be owned by municipal governments. These gardens can be on public land that is designated for gardens, such as parks and schools. An example of this is Seattle's P-Patch gardens. See chapter six, Seattle case study.

### **Private**

Community gardens also exist on privately-owned lands. This type of land tenure arrangement is less common. These gardens can be owned by individuals, non-profits or businesses. A garden associated with a hospital or mental health facility is an example of this type of community garden. Non-profits also have the ability to buy land from the city rather than leasing it. In Seattle, some gardens are owned by a non-profit group Friends of P-Patch and are leased in turn to community gardeners, while others are owned by the city (Kirschbaum 2000). The North Carolina Cooperative Extension lists "churches, schools, healthcare facilities, nonprofits and housing developments" as potential partners for community gardens.

### **Land Trust**

Finally, gardens can be held in land trusts or under conservation easements. "A conservation easement, in which an owner retains title and may obtain tax benefits while voluntarily designating the land as green space in perpetuity, is another way to protect gardens" (Kirschbaum 2000). Land trusts are the most secure option for gardens, as the land "will be protected as permanent open space" (Land Tenure Agreements). This type of arrangement is being used in Boston, Philadelphia, Chicago and Madison (Kirschbaum 2000).

Land trusts require a commitment by both the government and the gardeners: "once in, the garden is arranged as either a permanent or long term land use" (Land Tenure Agreements). The process of preserving these community gardens through the incorporation of Land Trusts is protecting community gardens in many cities.

New York City and Philadelphia are strong models for this municipal strategy. In Philadelphia, the Neighborhood Community Gardens Association / A Philadelphia Land Trust (NGA) is a nonprofit corporation whose mission is the continuity and long-term preservation of community-managed community gardens and green



spaces in Philadelphia neighborhoods. This organization grew out of a long struggle with the city leaders.(ngalandtrust, 2009)

In 1990, New York City community gardens experienced a major battle with the then Mayor Rudy Giuliani. The Mayor's administration was determined that 114 city-owned lots occupied by thriving community gardens would be sold to developers despite the protests of community garden organizers. The Trust for Public Land (TPL), a national nonprofit dedicated to conserving land for people, stepped in when it became unclear whether litigation could save the community gardens and purchased a little over half of the community gardens. The New York Restoration Project purchased the remainder. The establishment of a land trust, although a difficult project, is a potential way for cities to protect community gardens. Three New York City land trusts—together the largest urban land trust in the United States—are now established as the Bronx Land Trust, the Manhattan Land Trust, and the Brooklyn-Queens Land Trust (Marcus F., Morse, J.,2008). Currently no land trust exists in the City of Buffalo.

-----

## COMMUNITY GARDEN DESIGNS & MODELS

Some community gardens are based on a large land parcel with multiple community residents that tend to it. Service projects for the community garden are established and typically a number of hours of gardening are required of each participant weekly. There are no separate plots in this model, but members are required to meet certain established participatory conditions that lend to the group experience and shared effort. The rules of this type of community garden are often strict and in many municipalities there are waiting lists to become a member. Some plot based-models have fees attached where members may pay a minimal yearly fee. In many organizations, senior members receive a reduced fee, and local community organizations may receive plot privileges but they must remain active. If the community garden is attached to a 501(c) (3), non-profit organization fee rates may be minimal or non-existent. Such community gardeners must contribute hours to the community garden in order to remain active and attend organizational meetings.

### **Allotment Community gardens**

Allotment community gardening is a form of community gardening in which participants have personal plots established on one large parcel. A group of individuals rent or lease a parcel of land and are able to grow what they prefer for consumption or enjoyment. An allotment community garden is ideal for people who live in urban spaces where parcels are small and space is limited. Rules are often established with this form of community gardening. Establishing community gardening guidelines is important for participants to



assure stability. Some allotment community gardens have fees attached; others are sponsored by community churches or non-profit organizations which accept volunteer services in exchange for community gardening privileges. In the typical community garden, a person applies to be a member to receive a plot within the community garden grounds. After the member is approved, they take care of their assigned plot for the rest of the season or year (Odum, S, 2007).

### **Raised Bed**

Community gardening in raised beds has a long history and dates back to colonial times.

In raised beds the soil level is higher than in surrounding areas. Raised beds can be small in size, typically no wider than 4 feet, but lengths can vary to suite the gardener's preference. Raised beds are typically enclosed in wooden frames. A raised bed minimizes the need for power cultivation.

Raised bed gardens are high yield production sites. Raised beds do not require the usual space between rows. This makes raised beds a good choice for small spaces in urban neighborhoods. Vegetables in raised beds are planted at higher densities. The raised bed community garden is efficient and suitable for urban settings.

### **Square Foot Community Gardening**

Square foot community gardening has developed in response to the needs of urban gardeners who garden in relatively small spaces within dense urban environments. This type of gardening occurs on small plots where plants are arranged in squares, as opposed to rows. Each square is planted with a different crop and after harvest crops are rotated across squares (American Community Gardening Association). This type of gardening has many benefits. This method uses approximately 20% of the usual growing space and only about 10% of the water typically required to grow produce (American Community Gardening Association). This method has the capacity to produce thriving community gardens with less space and fewer resources.

### **Bagriculture**

Another innovated method for gardening in urban areas is bagriculture. Gardeners plant their crops in portable bags of soil. This form of gardening is especially appropriate when soil on a property is contaminated. Bagriculture is also appropriate in the event that land is not secured for community gardening, such as when it is under a temporary or short-term lease that limits gardeners' rights to the property (Carrot City Exhibition).

### **Potager Gardens**

Potager gardens, also known as kitchen gardens in the United States, combine the beauty of an ornamental garden with the utility of





a vegetable garden. These gardens are designed creatively with consideration of color, shape and size of the flowers and produce grown. They have the dual functions of beautifying a neighborhood, as well as nourishing its residents.

A potager garden, designed and operated by Growing Power, exists in Grant Park in Chicago, Illinois. This 20,000 square feet urban farm, is located adjacent to Chicago's Buckingham Fountain. Growing Power partnered with the Chicago Parks District to create this urban farm within a prominent public park. Maintained by area youth employees, this urban farm produces over 150 varieties of heirloom vegetables and edible flowers that are distributed to local food pantries and soup kitchens. This potager garden produced over 6 tons of food with a market value of \$15,000 last growing season (Wheeler, 2006).





# Methodology

## Qualitative Methods:

- Community Visioning Meeting
- Best Practices Review

## Quantitative Methods:

- Demographic Analysis
- Field Survey of Community Gardens
- Spatial & GIS Analysis of Garden Parcels

This study was completed over the course of one semester. It employs a mixed-methods research approach completed in several phases. The research team conducted a visioning session to obtain the community views on community gardens. Demographics of the City of Buffalo were analyzed to assess demand for community gardens. A spatial analysis of the community gardens was conducted to understand the population and socioeconomic attributes of the neighborhoods where community gardens are located. A field observation survey instrument was created and implemented to assess the gardens. Finally, the team conducted case studies to determine the best community gardening practices in North America.

-----

## COMMUNITY VISIONING

The research team organized and facilitated a visioning session with community members. Participants were asked to share their vision for successful community gardens in the City of Buffalo, as well as the types of gardens they feel would thrive and sustain in their neighborhoods. The participant input was incorporated into the final plan.

The visioning session was held at the Buffalo Museum of Science, located at 1020 Humboldt Parkway, on the evening of Thursday, March 19, 2009 from 5:30 to 7:00. Twenty-one community members participated in the event. Participants represented a variety of organizations and a number of different neighborhoods throughout the City of Buffalo. Organizations represented included nonprofit agencies, gardening organizations, block clubs, educational organizations, government representatives, community-based organizations and neighborhood groups.

The visioning session was structured in four phases. The first was a large group discussion where participants were asked to respond to the following questions: “What is your vision for your neighborhood?”, “What do you like about the outdoor environment in your neighborhood?”, and “What would you change about the outdoor environment of your neighborhood?”

The second phase had participants break out into small groups for discussion. They were asked to brainstorm their personal definitions and visions of what a community garden is, and then solidify these thoughts into one definition.

During the last two phases of the session participants reconvened and presented and discussed their ideas with the larger group. Finally, a large group discussion ensued, during which participants discussed challenges facing gardens and made recommendations for



future community gardens. See Appendix I for the complete agenda.

### **Small Group Discussions**

Participants were divided into three small groups, based on color-coded nametags randomly assigned at registration. Each small group was made up of seven participants, one student facilitator and one student responsible for note taking. The groups spent the first fifteen minutes brainstorming; participants shared first-hand knowledge, as well as ideas and visions for community gardens. Following the brainstorming session, the groups spent approximately ten minutes developing a group definition of a community garden. They also summarized their ideas for successful, sustainable community gardens in preparation for presentation to the larger group of participants.

The break out groups defined community gardens as follows:

#### *Orange Group:*

A garden is a shared space to invigorate communalism, reclamation of property, beautification and pride without prejudice.

#### *Blue Group:*

Community gardens are community centers for social and public activities that are dynamic, diverse, educational, shared and green, which promote health and well-being.

#### *Green Group:*

A community garden is a place for neighbors to come together, produce fresh food, create a greater sense of community and establish life-long friendships. Community gardens are interesting places for people to visit, places where everybody shares and places of pride for a neighborhood.

Source: Danielle Rovillo, 2009



*Figure 3-1: Rachel Maloney leading a small group breakout session*



## **Large Group Discussion**

The entire group reconvened to share discussion details from the small group breakout sessions, as well as to discuss challenges faced by community gardens in Buffalo. The group discussion centered around three common themes: neighborhood inclusion and engagement, municipal collaboration and access. These themes, as well as comments and ideas shared by the participants have been incorporated into the Queen City Gardens Plan.

Community members who were unable to attend the meeting were afforded other opportunities to participate in the process. Written comments were accepted until Friday, April 3, 2009. Citizens were also invited to visit the blog ([queencitygardens.blogspot.com](http://queencitygardens.blogspot.com)) or visit the group's Facebook site under the name "Queen City Gardens." In addition, comments could be sent directly to student coordinators or the faculty advisor via the postal service or email.

-----

## **QUANTITATIVE AND SPATIAL ANALYSIS**

A variety of data sources were analyzed to gauge the need for community gardens in the City of Buffalo.

### **Demographic Analysis**

Researchers empirically established the need for community gardens in Buffalo by reviewing population demographics, and shifts in racial composition, household composition, age, tenure, and educational attainment. This data was obtained from the 2000 U.S. Census. Additionally, health factor data from the Behavioral Risk Factor Surveillance System is presented. The Behavioral Risk Factor Surveillance System was developed by the Center for Disease Control as a method of measuring those diseases that are believed to be heavily influenced by poor eating habits. Those diseases include heart disease, diabetes, stroke, and obesity. This data indicates a clear picture of conditions in the City of Buffalo are can be used to reinforce arguments in support of community gardens.

Where ever possible, all demographic and health data was collected and analyzed at city scale. In two instances - health data and food security data - data was not available at city level, therefore county level data was used as a proxy.

### **Spatial Analysis**

To determine the current state of community gardens in Buffalo, a spatial analysis of known community gardens was conducted using Geographic Information Systems (GIS). To supplement the GIS analysis a field survey of gardens was conducted. In addition, the research team documented demographic and socio-economic attributes of neighborhoods in which gardens are located.



The GIS analysis of community gardens was completed using the following steps:

- (i) Addresses of community gardens, obtained from Grassroots Gardens, a local community gardens advocacy organization, were *geocoded* to create a map of garden distribution.
- (ii) The geocoded table of gardens was then *joined* with a land parcel shapefile for the City of Buffalo.
- (iii) Using the *dissolve* function in GIS, continuous parcels of gardens were combined to represent a single garden.
- (iv) The socio-economic demographic attribute data obtained from the U.S. Census was *joined* with the geographic information to understand the qualities of the neighborhood.
- (v) Block groups that contain community gardens were then *clipped* in order to analyze the neighborhood attributes.

City of Buffalo parcel and street data was obtained from the University at Buffalo School of Architecture and Planning GIS database, household and population attribute data was downloaded from the United States Census Bureau.

### **Field Survey of Community Gardens**

A field survey of community gardens was completed by members of the research team. The field survey was necessary to gain a more detailed observation of the current conditions of community gardens in the City of Buffalo and to expand on the information provided by Grassroots Gardens.

A standardized survey instrument was created to inventory all community gardens identified by Grassroots Gardens. The survey instrument tool seeks to verify the location of a garden; identify any amenities that may be present such as signage, composting, furniture or shelter; document the crops that are grown; and the aesthetic quality of the garden. Gardens were also classified into various categories on the basis of ownership. Gardens were inventoried by the research team on March 22-24, 2009.

-----

### **PRECEDENCES**

This report also relied on the case study method to determine the best practices in community gardening and urban agriculture in North American cities. The research team selected fifteen North American cities. These were cities with strong municipal and legislative activity in the areas of community gardening and urban agriculture. Relying on the literature on community gardening in the United States and Canada, the group chose to investigate: Austin, TX; Berkeley, CA; Binghamton, NY; Boston, MA; Cleveland, OH; Madison, WI; Milwaukee, WI; Philadelphia, PA; Portland, OR; Rochester, NY; Seattle, WA; ; Washington, DC; Montreal, Canada; Toronto, Canada;



Cities included in  
Best Practices Review:

- Albany, NY
- Austin, TX
- Berkeley, CA
- Binghamton, NY
- Boston, MA
- Cleveland, OH
- Milwaukee, WI
- Philadelphia, PA
- Rochester, NY
- Seattle, WA
- Washington, DC
- Toronto, Canada
- Montreal, Canada
- Vancouver, Canada

and Vancouver, Canada.

As the research team investigated the 15 cities, some selected cities stood out from the rest as displaying exemplary practices in community gardening and urban agriculture. The research group then conducted four in-depth case studies to describe the best practices they discovered throughout North America. Cleveland, Philadelphia, Seattle, and Toronto were selected as the target case-study cities due to their remarkable progress in the areas of community gardening and urban agriculture.

Some case study cities were chosen because they have experienced similar demographic and industrial transitions as Buffalo. In the past five decades, Philadelphia and Cleveland have faced challenges similar to those faced by Buffalo. All three cities, as Rustbelt cities, struggled financially and economically at the end of the 20th century. Corporate and industrial relocation, as well as residential relocation, to the suburbs, left a tremendous amount of vacant lots within city limits. However, the research team has discovered that Philadelphia and Cleveland, through different mechanisms, have been able to transform their abundance of vacant lots into viable sites for community gardens and urban agriculture.

-----

### LIMITATIONS

Time is the main limitation to this project given the nature that it is only a semester long project in which all research, analysis and reporting must be completed. In order to engage community involvement and interest, a visioning meeting was scheduled and held, however only one meeting was possible. We hope that the Task Force will engage the community in the community gardens planning process.

Time also limited the scope of the community gardens inventory in that it relies mostly on previously collected data from Grassroots Gardens. Data pertaining to what is grown and who uses the gardens was also difficult to obtain due to the research and report occurring in the winter as opposed to the growing season. The use of 2000 U.S. Census data was another limitation.







# State of Community Gardens in Buffalo

## **NEED FOR COMMUNITY GARDENS IN BUFFALO**

Community gardens exist and thrive when a community demands them. This section reviews the population demographics, shifts in racial composition, household composition, age, tenure, food security, health conditions and educational attainment trends that drive the demand for community gardens in an urban setting. This data suggests an urgent need for community gardens in the City of Buffalo.

### **Population Size and Composition**

The population in the City of Buffalo has been declining since about 1950. As of the 2000 U.S. Census the population has dropped below 300,000 persons to 292,648. The population of Buffalo is comprised of 137,443 males and 155,205 females. Sixteen percent of the population is over the age of 62, and 26.3 % are children under the age of 18 years (Census SF1, 2000).

Buffalo, as of the 2000 census maintained a Caucasian majority. Fifty four percent are white, while 37% are black. The remaining 9.4% of the population is of Asian, Multi, or 'other' racial groupings. Ethnically, 7.5% of the population identified as Latino or Hispanic (Census SF1, 2000).

Between 1990 and 2000, the total population for the City of Buffalo decreased by 35,475 people; there was a racial composition shift as well (figure 4-1). The white population declined from 65% in 1990, to 54.4% in 2000, while the black population increased from 31% in 1990 to 37%, in 2000. 'Asian, Multi, or other' racial groups accounted for only 4.6% of the population in 1990 but increased to 9.4% in 2000, while the population who identified as Hispanic increased from 4.9% in 1990 to 7.5% of the total population in 2000 (Census SF1, 2000).

The City of Buffalo is home to a growing number of immigrant populations. As of the 2000 Census, the foreign born populations numbered 12, 536 (12%). Of the foreign-born population, 4,554 (35.4%) were from Europe, 3,833 (29.8 %) were from Asia, 1,300 (10%) were from Africa, 2,121 (16%) were from Latin America. The remaining 8% were from other places (Census, 2000).

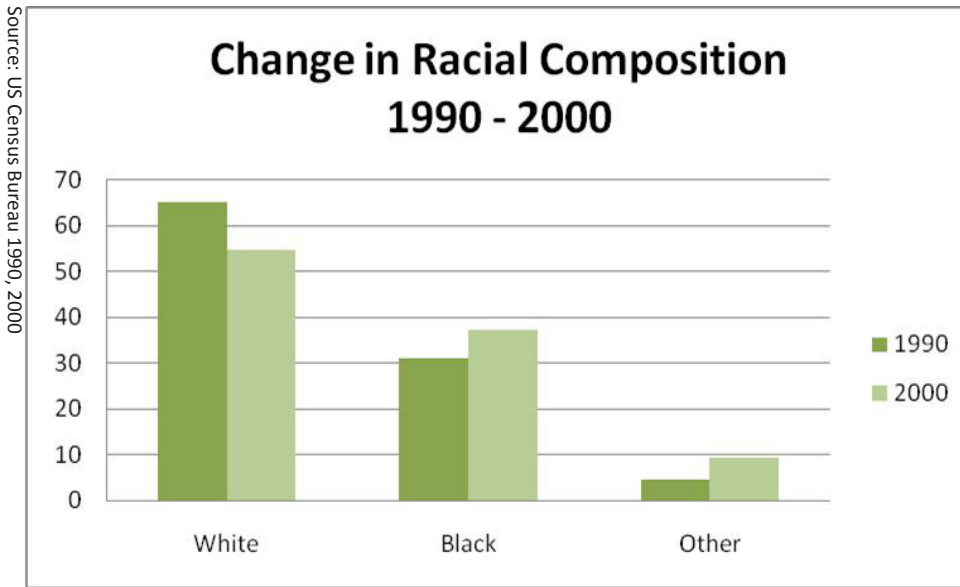


Figure 4-1: Change in Racial Composition 1990-2000

### Housing

Total housing units numbered 122,720 units with more than half (56.5%) of those housing units being occupied by renters. Since home ownership implies stability and home ownership builds a base of wealth, a high percentage of renters imply an economically less stable base population (figure 4-2).

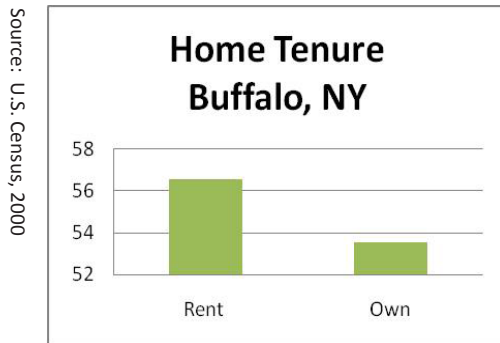


Figure 4-2: Home Tenure Buffalo, NY

### Household Composition

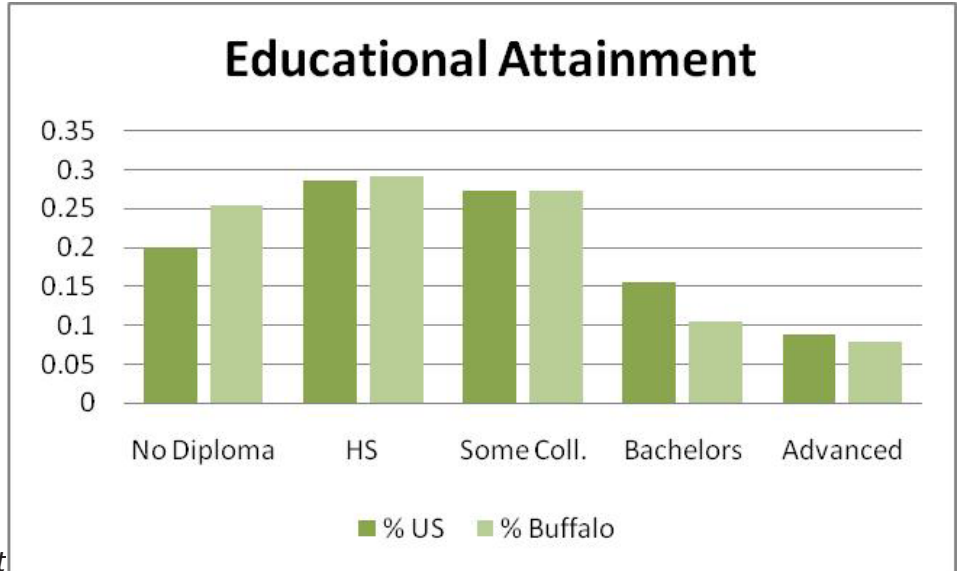
Nearly 1/3 of households reported the presence of children as residents. Of the total household units (35,071), 28% had children under the age of 18 years. Twenty two percent of households with children had female householders with no husband present (single mothers). Additionally, grandparents play a significant part of households in the City of Buffalo; 5,637 grandparents were living in households with children, acting as caregivers. Of those grandparents, over half (2,987) 53% were the primary caregivers to children under the age 18 (Census; SF1).

There are 11,273 households in the City of Buffalo over the age of 64 or 9% of family households. In non family households, 15,431 householders were over the age of 65 or 12.6% of households. In total, that was 26,704 households were headed by someone over the age of 65 years – that is about 22% (Census SF1, 2000).



## Educational Attainment

Many factors are considered to be indicative of a community’s economic well being. Amongst those are employment numbers, educational attainment, and income levels (including poverty). These indicators suggest that Buffalo is a working class city.



Source: U.S. Census Bureau (SF3)

Figure 4-3: Educational Attainment

Beginning with educational attainment (figure 4-3), of the population of Buffalo over 25 years old, only 74.6 % have graduated from, or obtained, a high school diploma. Only 18% of the population over the age of 25 has received a bachelor’s degree, while 7.8% of the population (over 25) has obtained a degree beyond a bachelor’s degree. In comparison, the national average of high school diploma attainment exceeds 80%, while Buffalo falls just behind the national average on the attainment of bachelor’s degrees (Census SF3, 2000). Since income levels can be correlated to educational levels, lower levels of educational attainment imply lower levels of income in Buffalo, as echoed in economic trends described below.

## Economic Conditions

Poverty levels are another indicator of the economic landscape and paint a unique portrait of the urban core. Overall income data indicated that 26.6% of individuals in Buffalo lived below the poverty level, more than twice the national average of approximately 12%.

In the City of Buffalo, a large percentage of families in households with small children (under 5 years) live below the poverty level. As of the 2000 Census, 43% of those households were living below poverty, compared with only 17% as the national statistic (Census SF1, 2000), shown in figure 4-4. Since we are aware that lower income groups have less money available for food purchase (Drewnowski,2004) we can infer that 43% may not have adequate access to nutritious foods.



Source: U.S. Census Bureau (SF1)

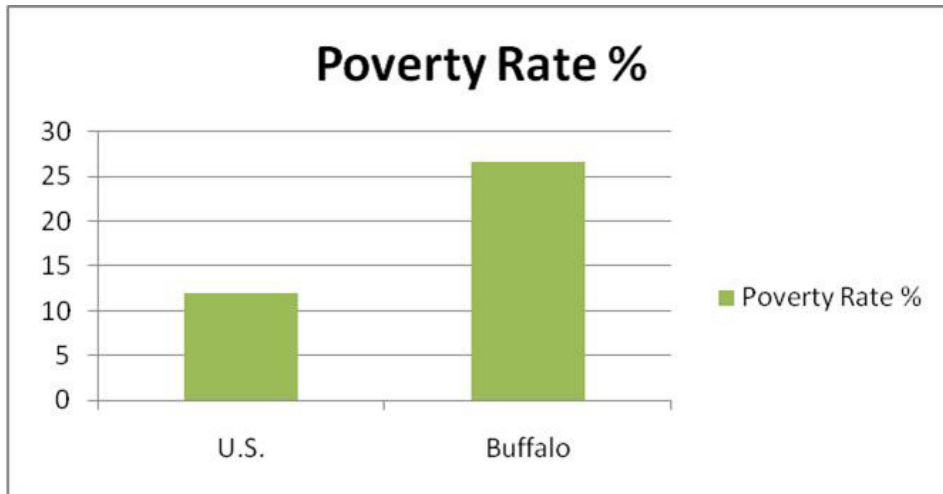


Figure 4-4: Poverty Rate Percent

In single parent, female householder only (no husband present) a majority, 63% of children under the age of 5 were living in households that had earnings below the poverty level. Nationally, the statistic for this cohort is very high at 43%, but the figure for the City of Buffalo is still much higher (Census SF1, 2000).

Age can also be an important factor when understanding economic factors (figure 4-5). Most individuals over the age of 65 have limited means of income, will likely be classified as poor, and may not receive or have access to adequate nutrition, while children live at the direction of their parents and may not be able to make adequate choices for themselves.

Source: US Census Bureau 1990, 2000

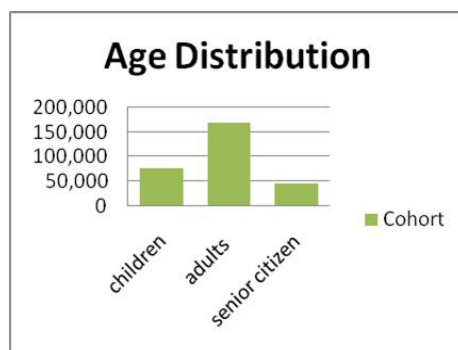


Figure 4-5: Age Distribution

There are a multitude of studies that show the nutritional benefits of including fresh fruits and vegetables to sustain the dietary needs of humans. Similarly, there are a number of studies that show that intercity African American neighborhoods, and the poor, have less access to quality foods. Research compiled by Adam Drewnowski, indicates that the types of foods that are available to the general population are major contributors to the obesity epidemic in the United States, and that the most energy dense foods are often the least expensive foods; contributing to the higher rates of obesity and diabetes amongst the poor (Drewnowski, 2004).



## **Access to Automobiles**

Access to automobiles can have an affect on access to community resources such as procurement of food sources; 124,221 vehicles were available to a total of 122,672 households, breaking down to an average of 1.01 per household in total. The owner occupied households, 43% (53,320) of total households, held 59% (73,290) of automobiles. The non owner occupied households, 57% held only 41% (50,931) of vehicles (Census SF3, 2000). Combined with the assumption that non-owner occupied households may have lesser income resources available, it can be assumed that economically challenged peoples have lesser automobile access. In the modern sprawling city, access to food will often be dependent on access to automobiles.

## **Food Security**

Many households in the Buffalo region are food insecure. Data collected by the New York State Office of Temporary and Disability Assistance recorded that in December of 2008, 55,479 households, or 14.61% of households, in Erie County received both temporary and non-temporary assistance. This accounts for 109,185 people (11.5% of the population) receiving nearly \$13,000,000 in Food Stamp Aid. Comparatively, in 1999 only 17,103 Erie County households reported receiving public assistance (Census SF3, 2000).

To qualify for food stamps in New York State, households of Erie County must meet an income criteria; a family of four must have a monthly gross income of \$2,167 or less. To qualify for W.I.C., the Women and Infant Children's nutritional program, a family of 4 must have a monthly gross income of less than \$3,269, and must include a child up to the age of 5, or a pregnant woman (Erie County, 2009).

The emergency food system provides assistance to food insecure households. In Erie County 129 food aid sites (soup kitchens, food pantries, shelters etc) provided 4,708,740 meals to 970,060 people between July 2005 and June 2006. Of the populations served, 27 % were children, 61% were adults, and 11% were Senior Citizens. This means that 12,901 meals were served every day in Erie County. (HPNAP, 2007)

## **Health conditions**

Poor access to nutritious food carries serious health consequences. A joint report by the U.S. Department of Agriculture, and the U.S. Department of Health and Human Services, suggested that specific diseases linked to poor dietary habits include cardiovascular disease, hypertension, type 2 diabetes, overweight and obesity, osteoporosis, constipation, diverticularitis, iron deficiency, oral disease, malnutrition, and certain cancers (U.S.D.A., 2005).

Data compiled by the Center for Disease Control in the Behavioral Risk Factorial Surveillance System (CDC, 2008) suggest that in the Buffalo Metropolitan Area:



- 10.8% of the population has been diagnosed with diabetes
- Less than 30% (28.8%) consume the recommended 5 servings of vegetables
- 38.8% of the population is overweight
- 25% of the population is obese

Data Source: CDC, 2008

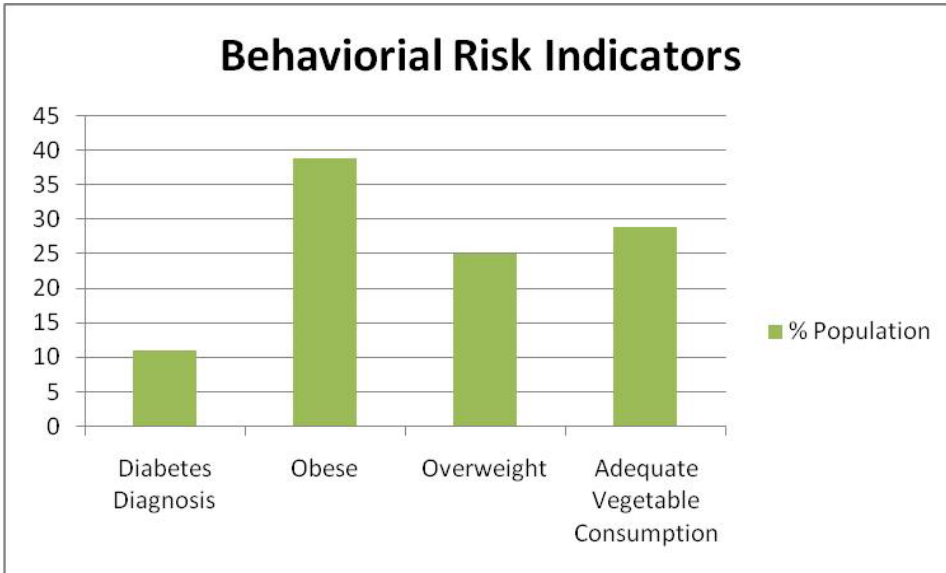


Figure 4-6: Behaviorial Risk Indicators

-----

## STATE OF COMMUNITY GARDENS

There are fifty-five community gardens in the City of Buffalo. These gardens cover 10.94 acres of land and exist on 99 land parcels.

### Spatial Distribution

Gardens are located on land within ten different zoning categories. Sixty-five percent of gardens are located on lands zoned as vacant residential, and 16% on commercial vacant.

Community gardens in the City of Buffalo are not equally distributed across common council districts (See Figure 4-8). Of the fifty-five gardens, twenty-two, or 40% are located in the Ellicott District, on the Westside of Buffalo. The proportion of community gardens located on the Westside of Buffalo, is 58%, whereas the Eastside has 31%, North Buffalo possesses 11%, and South Buffalo has zero community gardens (see Figure 4-9).



Current Land Uses of Gardens

Class Code	Land Use	Parcels of Gardens	Ratio of Parcels
210	Single Family Residential	3	3%
220	Two Family Residential	5	5%
281	Multiple Residencies	2	2%
311	Vacant Residential	64	65%
330	Commercial Area Vacant	16	16%
437	Parking Garage	1	1%
482	Downtown Row Type-De-tached	2	2%
484	One Story Small Structure	1	1%
591	Playground	1	1%
963	City/Town/Village Public Park and Recreation	2	2%
	Total Garden Parcels	99	

Source: Rachel Maloney

Figure 4-7: Current Land Uses of Gardens

Common Council District	Gardens
North	1
Delaware	2
Masten	8
University	3
Love Joy	4
Fillmore	5
South	0
Ellicott	22
Niagara	10
Total Gardens	55

Source: Rachel Maloney

Figure 4-8: Spatial Location by Common Council District

Geography	Gardens	%
North:	6	11%
East:	17	31%
South:	0	0
West:	32	58%

Source: Rachel Maloney

Figure 4-9: Spatial Location by Geographic Area

**Neighborhood Attributes**



Community Gardens are located in thirty-six neighborhoods (census block groups) in the City. These neighborhoods serve a diverse population and are relatively lower income than the rest of the city. Below we describe in detail the attributes of these neighborhoods.

*Population*

The total population in the thirty-six neighborhoods that include community gardens is 23,930, which represents 8% of the total population of the City of Buffalo. Gardens are located in neighborhoods of color, and neighborhoods serving the young and the elderly. The most prominent races in these neighborhoods are African American (49%) and White (34%), whereas 13% represent other races, including American Indian-Alaskan, Asian, Pacific Islanders and others (See Figure 4-10).

Although the percentage of population aged 18 years and younger in these neighborhoods is the same as the city, there is a greater proportion of senior residents in these neighborhoods (54% versus 14%). This demographic composition offers the potential for having multi-generational participation in community gardening.

*Housing*

Source: Rachel Maloney

Attribute	Block Groups with CGs	City of Buffalo
Total Population	23,930	292,648
Caucasian	34%	54%
African American	49%	37%
American Indian/Alaskan	1%	1%
Asian	2%	1%
Pacific Islanders	1%	0%
Other	9%	4%
18 years and Under	29%	28%
65 Years and Older	54%	14%
Disabled	54%	43%

*Figure 4-10: Population Attributes of Neighborhoods with Community Gardens, 2000*

Neighborhoods with existing gardens serve 12,748 housing units, this is 88% of the total housing units in the City of Buffalo. As Figure 4-13 shows, 80% of these units are occupied, leaving 20% vacant. The land vacancy rate in the neighborhoods with gardens is 4% greater than the City as a whole.

The neighborhoods serve 10,341 households (see Figure 4-11). Renters comprise 65% of the households and owners represent 35% of the households. Ownership in these neighborhoods is less than the city - a high percentage of renters is an indicator for the need of community gardens.





Figure 4-11: Comparison of Household Block Groups with Community Gardens, 2000

Attribute	Block Groups with CGs	City of Buffalo
Total Housing Units	12,748	14,557
Vacant	20%	16%
Owner Occupied	35%	43%
Renter Occupied	65%	57%
Below Poverty Level	33%	25%
No Vehicle	43%	31%

Source: Rachel Maloney

*Socio-Economic Conditions*

Community gardens serve neighborhoods experiencing challenging economic circumstances. Thirty-three percent of households in these neighborhoods live below the poverty line; this is eight percentage points higher than the city. Car ownership is also lower compared to the city; 43% of households in these neighborhoods do not own a vehicle, this is 12% less than the city as a whole.

*Ownership and Management*

A majority of the gardens in Buffalo are located on vacant land and are therefore owned by the City of Buffalo (see Figure 4-12). Grassroots Gardens, a local non-profit, community garden organization, acts as a liaison between the gardeners and the city. As part of its mission, Grassroots Gardens leases land from the city, insures it and makes it available for community gardening. Of the ninety-nine properties on which fifty-five community gardens exist, forty-eight are owned by the City of Buffalo and leased by Grassroots Gardens; four are privately owned and insured by Grassroots Gardens; two are privately-owned and leased by Grassroots Gardens; and forty-four are owned by the City of Buffalo and pending lease to Grassroots Gardens.

The current lease agreement that Grassroots Gardens has from the City is inadequate. It is a five year lease that includes a 30-day take-back clause. In effect, the city can take the land back with no more than 30-days notice to Grassroots Gardens.

Most community gardens in Buffalo are neighborhood gardens where a sponsoring organization maintains the garden. Gardens run by MAP and the WNY Food Bank produce food and also provide community and educational programs. Growing Green, MAP's youth development program aims to promote healthy food access in Buffalo by creating opportunities for youth to grow and process their own

Owners	Gardens	Ratio of Gardens
City of Buffalo	51	93%
Private Owners	3	6%
PUSH	1	2%
Food Bank of WNY	1	2%

Source: Rachel Maloney

Figure 4-12: Community Garden Owners



Source: Rachel Maloney

Gardens by Parcel	Ownership	Leased By	Insured
48	City of Buffalo	Grassroots Gardens	
5	Privately		Grassroots
2	Privately	Grassroots Gardens	Grassroots
47	City of Buffalo	Grassroots Gardens (Pending)	

Figure 4-13: Grassroots Gardens' Involvement in Leasing and Insuring

food. The WNY Food Bank's Garden Project is a plot-based system that allows individuals to tend to a garden plot and then donate the produce to the Food Bank.

*Cost*

The cost of acquiring and maintaining a garden depends on the size of the garden and the crop, however many sources suggest that the startup cost can range between \$1,000 and \$5,000 (SUNY-Buffalo 2003; Surls, Braswell, Harris, and Savio 2001;). According to Urban Harvest and Common Ground Garden Program start up capital costs for: trowel, fork, hoe, hand pruners, watering can, shovels and spades, wheelbarrow, gloves, fencing, composting area, and a simple irrigation system (Urban Harvest; Surls, et al 2001). Grassroots Gardens estimates that the startup costs of a community garden in the City of Buffalo is \$10,575 (See Figure 4-14). These costs are estimates and will need to be adjusted based on garden size. Annual maintenance costs are estimated at \$500. These are estimates based on a standard lot, sized 35x100 square feet.

Figure 4-17, 4-18 Sources: Z. Lavetelli, (Personal Communication), March, 20 2009.

Lot 35x100 feet	Costs (dollar)
Grading and leveling the lot	\$6,875
15 cubic yards of compost	\$450
Plant material	\$750
Building materials (structure)	\$2,000
Garden Signage	\$500
<b>Total</b>	<b>\$10,575</b>

Figure 4-14: Startup Costs for a Community Garden

Standard Lot 35x100 feet	Costs (dollar)
Five cubic yards of compost	\$150
Miscellaneous equipment	\$100
Plant material	\$250
<b>Total</b>	<b>\$500</b>

Figure 4-15: Annual Maintenance Costs



### *Crops grown*

A variety of crops are grown in community gardens in Buffalo. Of the ninety-nine community garden parcels, only 21% are used to produce food exclusively, 16% are of mixed crop, and 56% are exclusively ornamental (See Figure 4-16).

Crop	Garden by Parcel	Ratio of Parcels
Food	21	21%
Ornamental	55	56%
Mixed	16	16%
Tree Farm	1	1%
Bio Remediation	2	2%
Play Area	1	1%
Empty	2	2%

Source: Rachel Maloney

Figure 4-16: Crops Grown

### **Types of Community Gardens in Buffalo**

Community gardens in Buffalo serve many purposes, these include production of food, income generation, education, training, recreation & beautification, and economic improvement of neighborhoods. Several categories of gardens exist in Buffalo, these include: school and education; youth; entrepreneurial; demonstration; and therapy. Similar to the findings of an American Community Gardens survey from 1996, most (89%) gardens in Buffalo are neighborhood gardens. These gardens are generally located on vacant land; are maintained by block and community groups; and are created and maintained to benefit the surrounding community.

These findings confirm Buffalo residents' stated reasons for why they start community gardens. According to Zoe Lavatelli of Grassroots Gardens, residents garden to beautify their neighborhoods and to take advantage of the vacant land within their communities. These are cited as the primary motivation for starting a garden. Lavatelli notes that homeowners and senior citizens tend to be the most involved in gardening.

Grassroots Gardens conducted a survey of community gardens in Buffalo in the spring of 2008. The survey asked about the number of volunteers, hours worked per week, length of the season (in weeks), age groups of the volunteers, residency status, diversity and economic status of the volunteers, as well as if the garden would like more volunteers and if the gardeners have approached the neighbors. As of March, 26, 2009, they received nine people responded to the survey. Figure 4-17 shows the survey results, each garden has an



average of 7.6 volunteers; they work 7.5 hours a week over 24 weeks (one of the responses, an outlier, was excluded in these figures). Ninety percent of the garden volunteers report low-to-mid income levels.

Figure 4-21, 4-22 Sources: Z. Lavetelli, (Personal Communication), March, 20 2009.

	Total	Average
Number of Volunteers	61	7.6
Work Hours per Week	60	7.5
Season Length (in weeks)	218	24

Figure 4-17: Volunteer Averages

Volunteer Characteristics	Frequency
Age	
Old	1
Mixed	7
Mixed and Old	1
Residency	
Yes	5
Mixed	4
Diversity	
No	2
Yes	2
Somewhat	5
Economic Status	
Low	4
Low-Mid	4
Mid-High	1

Figure 4-18: Volunteer Characteristics

Our research team’s field observations show that there is great variance in the quality of community gardens in Buffalo. Some gardens are vacant lots that have not yet been prepared for gardening. In other cases it is difficult to distinguish gardens from adjacent vacant lots in the neighborhood. The use of signage is not consistent across all gardens. Few gardens contain furniture or decorations. These observations are limited by the fact that they were not conducted during the growing season.



## **RESIDENTS' VISIONS FOR COMMUNITY GARDENS IN BUFFALO**

Community members shared their thoughts, ideas and visions for community gardens as part of the community outreach meeting held in March 2009. As part of the meeting process, the participants were asked to provide a definition of what community gardens mean to them. Three definitions were developed from the discussion, all focused on community and place.

1. A garden is a shared space to invigorate communalism, reclamation of property, beautification and pride without prejudice.
2. Community gardens are community centers for social and public activities that are dynamic, diverse, educational, shared and green, which promote health and well-being.
3. A community garden is a place for neighbors to come together, produce fresh food, create a greater sense of community and establish life-long friendships. Community gardens are interesting places for people to visit, places where everybody shares and places of pride for a neighborhood.

Community members shared personal experiences, victories and challenges they faced as community gardeners in Buffalo. From these stories of challenges and successes came ideas and suggestions for a more comprehensive approach to community gardens in the city. The participant feedback centered around three common themes: neighborhood inclusion and engagement, municipal collaboration and access.

### **NEIGHBORHOOD INCLUSION AND ENGAGEMENT**

Community gardens provide opportunities to engage and promote collaboration among neighbors; specifically, participants noted that community gardens provide the opportunity for both children and the elderly to work together to improve the health of both the neighborhood and the community. Participants also defined community gardens as central, shared locations that not only produce food and ornamental flowers, but they also act as community centers that promote education through service learning and social interaction among diverse, multi-generational groups of people. Participation in community gardens allows neighborhood residents to grow food, flowers and have fun while reclaiming vacant land and creating a sense of ownership, pride and community in the neighborhood.



## MUNICIPAL COLLABORATION

There is a clear need and desire for collaboration between the neighborhood and local government. Improved collaboration with city leaders will help to resolve many of the issues faced by community gardeners. Specifically, community gardeners need assistance with soil testing, liability and access to water and equipment. The most pressing issue facing gardens, as outlined by the participants, is the need for more permanent land ownership; the participants noted that the current lease terms for city-owned property are not conducive for long-term garden initiatives. Participants mentioned opportunities to reuse materials no longer needed by the City, such as granite curbs for raised beds and shrubs from vacant buildings for garden borders. Improved collaboration would also allow for gardeners to access city-owned tools and equipment for large projects; this would decrease overhead for the gardens and allow the City to become more engaged in these projects. Participants also voiced concern with the current City zoning policies, which do not include urban agriculture as an acceptable land use. Liability and insurance are also major concerns for community gardeners. Finally, the issue of water is something that must be addressed in order to establish sustainable community gardens.

## ACCESS

The issue of access was discussed at length by community members; specifically, the issue of who should have access to community gardens and whether or not the gardens should be fenced. Some participants expressed views of shared spaces in neighborhoods and noted that community gardens are for everyone. Others noted that community gardens are for those who participate, those who provide time and labor to the garden. When asked about the issue of fences, participants were divided. The question of fencing a garden, or not fencing a garden, is not easily answered. One participant shared strong feelings against fencing, stating that a fence turns a community space into a private space. Others shared experiences in gardens with fences and noted that while there were fences, the gates were always unlocked allowing for constant access to anyone. Some participants felt that fences deter vandalism and theft and provide a sense of security for the space. Many participants were clearly undecided on the issue, and others felt that the space and location determine whether or not a fence is required. There was clearly not a consensus among participants on the issues of access and fencing.



The community meeting provided a great deal of insight into the experiences, struggles and achievements of community gardeners throughout the City of Buffalo. The results from the community meeting revealed a strong sense of commitment and dedication to community gardens, a desire to expand the existing network of gardens and community members involved in gardening, as well as the need for improved collaboration between the City and the gardening community. It is clear that residents are committed to community gardening as a means to not only produce fresh food and ornamental flowers, but more importantly as a means to beautify Buffalo and create strong and healthy neighborhoods in the process.

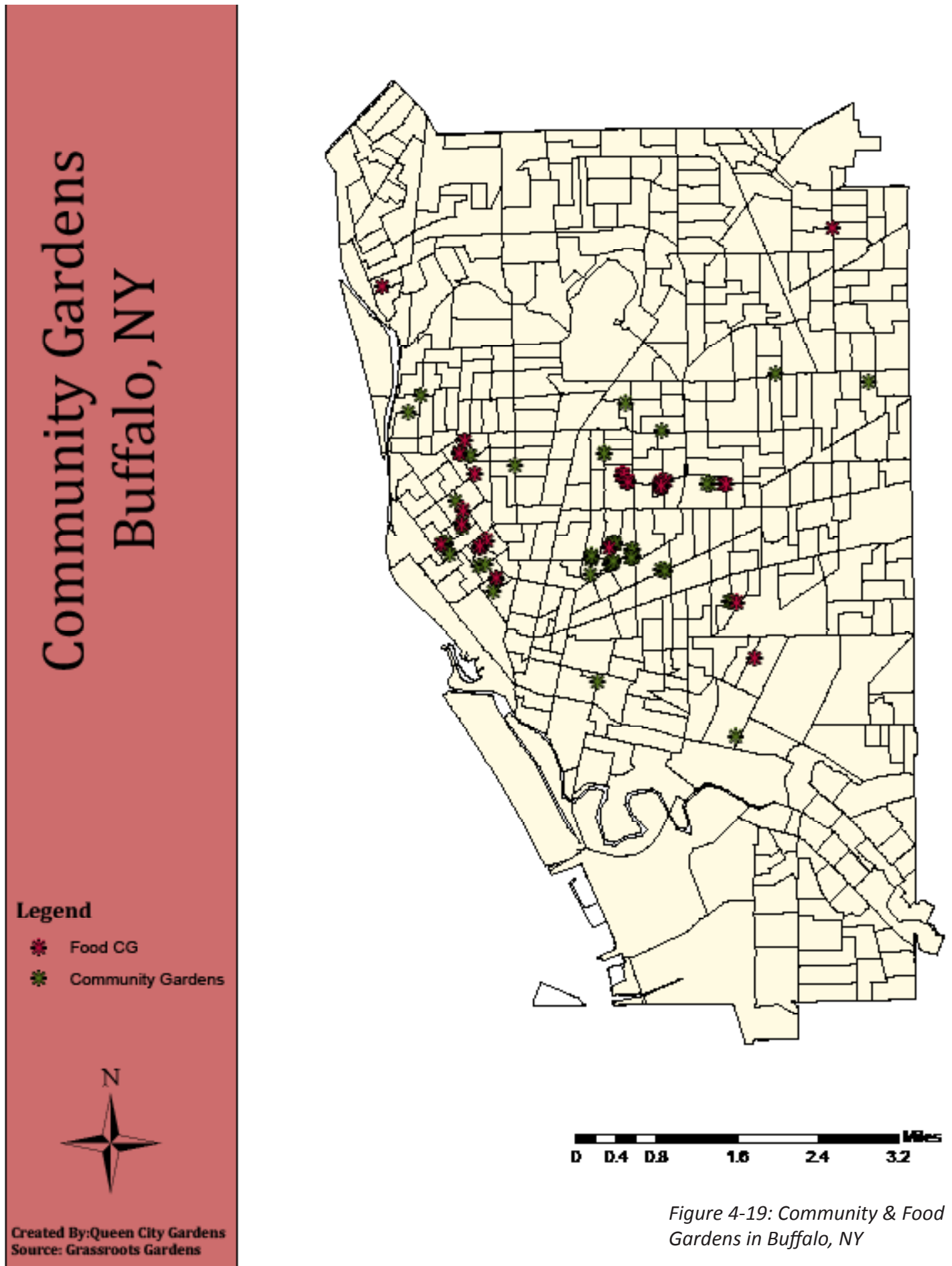


Figure 4-19: Community & Food Gardens in Buffalo, NY



# Community Gardens: Ownership and Crop

Buffalo, NY

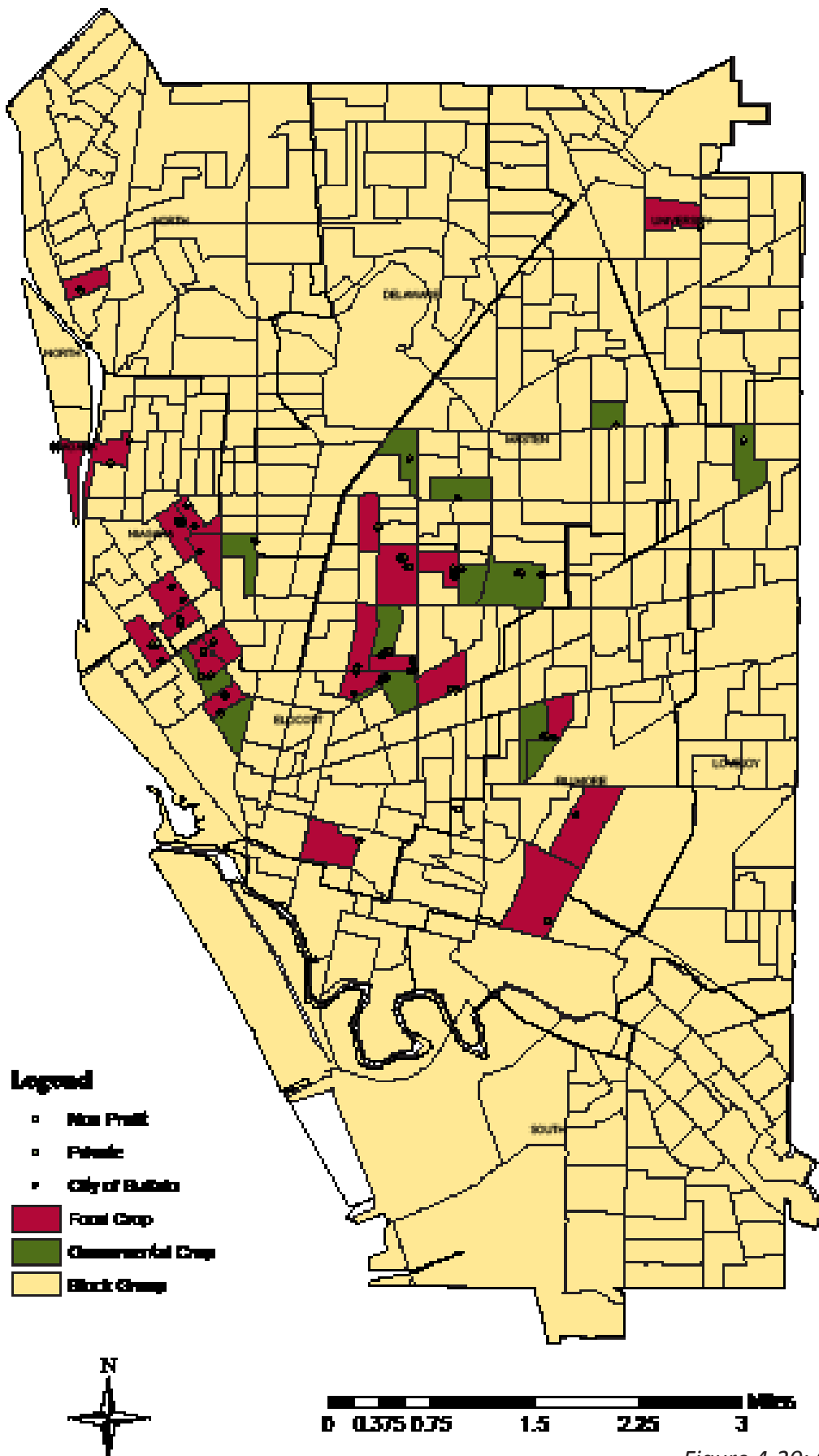


Figure 4-20: Ownership and Crops





# Legal and Planning Considerations

This chapter provides a review of current municipal and state laws, regulations, and plans pertaining to the development of community gardens in Buffalo, New York. All recommendations in the report are informed by these legal and planning considerations.

## CHARTER AND THE CODE OF THE CITY OF BUFFALO

There are several clauses within the Charter and the Code of the City of Buffalo that apply to community gardens, as noted below. Community gardens, as with all real property in the City of Buffalo, are subject to the “Charter and Code of the City of Buffalo.” Of note are chapters on Fruits and Vegetables (Ch 19), Food and Drugs (Ch 193), Building Construction and Demolition; Fire Prevention (Ch 103), Property Maintenance (Ch 341), and Garbage, Rubbish and Refuse (Ch 216).

Chapter 199, Fruits and Vegetables, states that a license is required for any sale of fruits and vegetables whether sold at a temporary stand, as a wholesale dealer or otherwise. Any community garden or urban farm interested in selling their produce would need to consult chapter 199, which outlines the license acquisition process and other related requirements.

The chapter, Food and Drugs, also contains requirements pertaining to the sale of fruits and vegetables. However, the scope of section 193-5 Unwholesome food extends beyond the sale of produce and would pertain to any community garden or urban agriculture storing fruits and vegetables, even if not for sale. Section 193-5 Unwholesome food states, “No meat, vegetables or milk, not being then healthy, fresh, sound, wholesome or safe for human consumption shall be kept or stored anywhere in said city.” The section specifically singles out “wormy” vegetables as being “not sound.”

In Section 103-2.1, Building Construction and Demolition; Fire Prevention states that a person, firm or corporation must obtain a permit before they can “renovate, alter, reconstruct, occupy or use for any purpose, extend or enlarge, move, erect, place, or demolish or remove any building, structure, or site.” Since the code refers to sites as well as buildings, the code applies to community gardens. Section 103-2.3 does list exceptions. Whether or not a building permit is required, all work is subject to the general provisions set forth in Section 103-2.2, which outlines the need to comply with Building Codes of New York State as well as all other applicable codes,



approvals and reviews.

Exceptions relevant to community gardens can be found in Section 103-2.3B(15)-(19). The code mandates that all work listed below as allowed without a building permit shall not alter drainage to the detriment of adjoining properties, violate local ordinances or codes, or create a nuisance or a dangerous situation.

Sections 103-2.3B(15) and (16) allow for repair, renovation or installation of landscaping at existing one- and two-family dwelling sites as well as at commercial building sites without a building permit. Landscaping is limited to:

Plant materials, including seeds, bulbs, flowers, shrubs and trees; Ground covers; Grass or sod; Precast concrete masonry or masonry or stone units used in assemblies and systems less than two feet in height for incidental retention of landscaping beds; and Fences (except any fences which surround a pool or a pond, either of which is over two feet deep; such fences require a permit).

Sections 103-2.3B(17) and (18) allow for repair, renovation or installation of walkways, terraces, and patios at existing one and two-family dwelling sites as well as commercial building sites without a building permit. In one- and two-family dwelling sites, repair, renovation or installation of driveways and parking areas (except front parking pads, which are not permitted) are also permitted without a building permit. Allowed materials are listed in the code.

Section 103-2.3B(19) allows for repair, renovation or construction of a "single story, detached storage shed of up to 144 square feet of ground surface coverage," similar building or playground equipment at existing one- and two-family dwellings without a building permit.

In the Property Maintenance chapter, the city requires compliance with property maintenance provisions regardless of building type or occupancy, as made clear in Section 341-5. Section 341-7 states that buildings and structures shall be maintained; "(1) In a clean, safe and sanitary manner; and (2) Free of substantial deterioration or graffiti." If a community garden has a storage shed or other structure on its premises, the gardeners would need to ensure its proper maintenance in accordance with these codes.

Section 341-6 enumerates requirements for maintenance of open areas. Since all the listed requirements apply to community gardens as open space, they are quoted directly from Section 341-6:

*A. Surface and subsurface water shall be appropriately drained to protect buildings and structures and to prevent the development of stagnant ponds.*

*B. All drainage water from roof surfaces of residential buildings shall be properly drained into a sewer, or by an alternate method approved by the Commissioner. No buildings or structures shall discharge roof drainage on sidewalk, stairs or neighboring property.*



*C. Fences and other minor construction shall be maintained in good repair and in a safe condition.*

*D. Steps, walks, driveways, parking spaces and similar paved areas shall be maintained so as to afford safe passage under normal use and weather conditions.*

*E. Yards, courts and vacant lots shall be kept clean and free of physical hazards, rodents harborage and infestation.*

*F. Heavy undergrowth and accumulations of plant growth which are noxious or detrimental to health shall be eliminated.*

The city also holds owners, occupants or persons having charge of lands within the City accountable for removing weeds, brush and debris “as necessary to maintain such land in a sanitary and orderly condition” in Section 341-1. The sanitary condition of a property is further emphasized in Section 341-8A: “Grounds, buildings and structures shall be maintained free of insects, vermin and rodent harborage and infestation. Methods used for exterminating insects, vermin and rodents shall conform to generally accepted practice.” Fowl are treated separately than vermin in Section 341-11 where the city deems keeping “chicken, pigeon, turkey, duck or any fowl” in a residential, commercial or manufacturing district more restrictive than the M2 General Industrial District to be unlawful.

If a community garden decides to maintain compost, Section 216-44 would apply. Found in the codes for Garbage, Rubbish, and Refuse, the section clarifies that “*Nothing in this article shall be construed as preventing any person from utilizing vegetative yard waste for compost, mulch or other agricultural, horticultural, forestry, gardening or landscaping purposes*” thus protecting the right to compost. However, Section 216-44 continues by requiring that said compost “shall be covered in such a fashion so as to eliminate the possibility of divergence by wind or soaking by rain or snow or accessibility to animals or pests.”

Finally, under the Charter Section 3-18, the city council has the right to enact ordinances that regulate public grounds, as noted below:

*To regulate the use of the public streets, alleys, parks, and park approaches, wharves and public grounds, and to prevent unlawful encroachments and encumbrances thereon; to license and regulate the placing, maintenance and operation in any street, alley or public ground ... to prohibit the running at large of animals therein and to authorize the distraining, impounding and sale of them for the penalty and costs of the proceeding, to regulate and direct the planting and care of trees in streets and public places and to spray trees on lands contiguous thereto; to compel the owners of lands to destroy noxious weeds growing thereon and owners of vacant lands to fence or enclose them; to regulate and compel the numbering of buildings and the naming of streets and alleys.*

-----

Community gardens and urban agriculture are not mentioned in the lists of permitted or restricted uses of any of the 12 zoning districts in the City of Buffalo.



## City of Buffalo Zoning

The Zoning Ordinance of the City of Buffalo contains 12 districts, 14 special zoning districts, and a Downtown Area Zone. The 12 zoning districts can be categorized into three subsections: 5 residential districts, 4 commercial districts, and 3 manufacturing districts. Community gardens, or any other form of agriculture within the urban limits, are not mentioned in the lists of permitted or restricted uses of any of the 12 zoning districts. There are references to parks and recreation areas as permitted uses, but community gardens are not explicitly included in the definition of parks or recreation areas. In the special zoning districts, greenhouses are listed as a permitted use in the Elmwood Avenue Business District as well as the Kensington-Bailey District.

Beyond land use restrictions, other regulations in the Zoning Ordinance apply to community gardens such as, but not limited to, Section 511-115E(1)(a) which regulates fence heights.

The absence of prohibition against community gardens and urban agriculture from the zoning code suggests that such uses are permitted throughout the city. Furthermore, citizens seeking to engage in horticulture on private property, seem to face no prohibitions.

However, access to additional land on which to engage in community gardening or urban agriculture might be limited through the scarce availability of city-owned lots for gardening and agriculture. The existence of few community gardens on abundant vacant city lots suggests a mismatch between the community's demand for gardening and the chronic problem of land vacancy throughout the city.

Under the current arrangement, the City of Buffalo offers city lots to community gardeners through a 5-year lease agreement (described previously) with a thirty day take-back clause. Anecdotal evidence suggests that in at least one instance this clause led to the demise of a flourishing community garden on what had previously been a vacant city lot (City of Buffalo Community Garden Task Force meeting). A city practice of selling city lots to adjacent homeowners was not prevented or forestalled despite a flourishing community garden on the leased lot. The operation of city land sales policy, in at least this case, appears to have conflicted with state law which provides for "the use of vacant public lands for community garden use for not less than one growing season" (NYS Consolidated Laws, Agriculture and Market, LawArticle 2-C 31-h (2.b.)).

-----

## CITY OF BUFFALO PLANS

All plans, including those for community gardens and urban agriculture, must be consistent with The Queen City in the 21st



Century: the Buffalo Comprehensive Plan, which is the “preeminent legal document guiding all development in the City of Buffalo” and provides “the policy framework for all other local planning efforts” (City of Buffalo, 2006, 3). Despite its status as the one plan for Buffalo, the Comprehensive Plan recognizes the need to be flexible and to accommodate new planning efforts as well as new conditions (City of Buffalo, 2006, 3). As such, it is not most important whether the Comprehensive Plan articulates a place for community gardens in its vision, which it does not, but rather if the vision and reality of community gardens is consistent with the Comprehensive Plan.

As green space open to the community, some of the benefits of community gardens are similar to the benefits of parks. The Comprehensive Plan recognizes the importance of parks, playgrounds, and public spaces as they “provide not only recreational opportunities and public amenities but they also improve the physical environment and promote investment” (City of Buffalo, 2006, 44). Community gardens also provide recreation. Gardening offers a chance for participants to get fresh air and exercise. Unfortunately, as the Comprehensive Plan outlines, “if parks are a great resource, they are also a great user of resources” (City of Buffalo, 2006, 44). Community gardens, however, unlike parks, encourage and demand the investment of community members to cultivate the garden. Residents, not city staff, maintain community gardens.

In the process of improving the physical environment, community gardens improve neighborhood property values (Voicu & Been 2008). Since community gardens are often sited on vacant lots, they not only improve the aesthetics of the individual lot and the property value of the surrounding parcels, they also remove the disamenity of the vacant lot. Schukoske notes that gardens abate criminal activity and prevent trash accumulation, illegal dumping and littering (2000). The Comprehensive Plan cites crime and the fear of crime as a key challenge. Community gardens are consistent with the Comprehensive Plan’s goal “to ensure that Buffalo is a safe place to live and work and that people feel safe in the city, too” (City of Buffalo, 2006, 21).

Working toward a safe Buffalo is part of the goal to rebuild the neighborhoods of Buffalo. The importance of Buffalo’s neighborhoods is acknowledged at the very beginning of the Comprehensive Plan, in the preface: “The success of this plan will ultimately be measured by the health and vitality of the Buffalo’s neighborhoods. Our growth as an economic center will go hand in hand with the increasing strength of our neighborhoods” (City of Buffalo, 2006, iv). Community development as an outgrowth of community gardening is well cited in the literature. Several studies have shown that community gardens improve the attitudes of residents toward their neighborhood, promote self-respect in residents in low-income neighborhoods (Schukoske 2000) and facilitate improved social networks and “organizational capacity in communities in which they [are] located,



especially in lower income and minority communities” (Armstrong, 2000).

In these ways, community gardens are consistent with and supportive of the policy framework set forth in The Queen City in the 21st Century: the Buffalo Comprehensive Plan.

Several municipalities around the country have incorporated community gardens within their park plans (see case studies of best practices). However, in Buffalo this is not the case. The Buffalo Olmsted Park System: Plan for the 21st Century makes several recommendations to enhance and expand gardens in Buffalo as part of the Olmstead Park designs. However, these recommendations refer mostly to botanical and other formal gardens. There are no references to community gardens or urban agriculture in the plan.

A more recent planning initiative of the the Common Council, the City of Buffalo, New York 2008-2009 Annual Action Plan lists “Grow[ing] the Number of Community Gardens in Buffalo” as one of its five planning initiatives. In the Action Plan, the Common Council recognizes the numerous social benefits of community gardens.

When properly maintained, gardens can bring great value to the community at large and act as a catalyst for getting residents involved in their neighborhood. The time, effort and collaboration that goes into creating and maintaining community gardens can foster an increased sense of pride and ownership in one’s community. These green spaces can also provide a venue for education, recreation and relaxation for neighborhood residents, promote environmental awareness and potentially become a source of fresh produce.

The Common Council’s call to the Administration “to set aside adequate funding to assist with their planning, creation and maintenance” is in line with the state’s intention of creating an office responsible for assisting in identification of vacant public land suitable for community gardening upon request, for facilitating use of vacant public lands for community gardening, and for supporting contact among community garden programs, established and emerging in the Agriculture and Markets Law, Chapter 69, Of the Consolidated Laws, Article 2-C, Community Gardens, Section 31-h.

“The people of the state have a right to raise food as an important step to self-reliance.”  
~New York Agriculture and Markets Law

-----  
**NEW YORK STATE LAW**

**Pertaining to Community Gardens**

New York State law defines “community garden” as “public or private lands upon which citizens of the state have the opportunity to garden on lands which they do not individually own (Agriculture and Markets Law, Chapter 69, Of the Consolidated Laws, Article 2-C, Community Gardens, Section 31-g).





Section 31 of this law mandates an office of community gardens within the department of agriculture and markets and recognizes community gardening as a valid use of publicly owned lands, whose use may be conditioned on having liability insurance, in Sections 31-h and 31-i. The aforementioned office is responsible for assisting in identification of vacant public land suitable for community gardening upon request, for facilitating use of vacant public lands for community gardening, and for supporting contact among both established and emerging community garden programs. “Vacant public land” is defined as “any land owned by the state or a public corporation including a municipality that is not in use for a public purpose, is otherwise unoccupied, idle or not being actively utilized for a period of at least six months and is suitable for garden use.”

The legislature that approved Article 2-C found community gardens to be a community asset. After listing benefits of community gardening and declaring a desire of New York State residents to garden, the legislature stated:

The people of the state have a right to raise food as an important step to self-reliance and therefore should be encouraged by making public land resources available for such purposes. It is hereby declared to be the policy of the state to encourage community gardening efforts by providing access to land, offering technical and material assistance to those groups seeking to rehabilitate or better utilize vacant land by gardening and other greening practices.

Article 2-C, Community Gardens, Sections 31-g through 31-i have been in effect since April 1, 1987. These sections repeal and are derived from Executive Law Section 848, added by L.1978, c. 632, section 2, which entered new language for Section 96, Municipal community garden activities of General Municipal Law, Chapter 24, Of the Consolidated Laws, Article 5, Powers, Limitations, and Liabilities. The former Section 96 from 1946 directed “use of unimproved lands of municipal corporations for garden purposes” and was recommended by the Temporary Special Legislative Committee on War Emergency Laws. This former Section 96 referred to “home gardens” not “community gardens.”

The major difference between Article 2-C, Community Gardens and Section 96, Municipal community garden activities lies in the body directed to facilitate community gardening. In Section 96 such powers and duties were assigned to the Cooperative Extension of Cornell University. Article 2-C reclaims those powers and delegates them to a state run office.

There are other differences as well. Numerous portions of Section 96 are neither affirmatively restated nor are they directly repealed in Article 2-C. These portions include:

- 1) allowing municipalities to evict users of vacant land with thirty days notice with an exception that allows users to harvest if evicted during the growing season barring immediate emergencies



- 2) disallowing the exchange of money for produce grown in community gardens
- 3) allowing municipalities to charge a fee for preparation of assigned lots
- 4) outlining valid municipal purposes, such as contributing or providing at cost items and services such as compost, water systems, storage sheds, seeds, a tool lending facility

It is interesting to note that the sections currently recognizing community gardening as a valid use of public lands formerly recognized a different use state fairs as a valid use of public land. The former Sections 31-d through 31-l were repealed and moved to other sections. Some regulations of state fairs remain in Article 2-A, immediately preceding Article 2-C, Community Gardens.

### **Agriculture and Markets**

State law on agriculture and markets can support the development of community gardens and the sale of its produce within the City of Buffalo. New York State Agriculture and Markets Law, Chapter 69 of The Consolidated Laws, opens with a short title in Section 1, definitions in Section 2 and then a declaration of policy and purposes in Section 3. “The agricultural industry is basic to the life of our state. It vitally concerns and affects the welfare, health, economic well-being and productive and industrial capabilities of all our people. It is the policy and duty of the state to promote, foster, and encourage the agricultural industry, with proper standards of living for those engaged therein.” The declaration goes on to list proper pursuits in fulfilling this duty including: “to promote an expanded demand for the state’s agricultural products and the intelligent uses thereof by consumers as pure and wholesome food; to protect the public health and to eliminate the evils of under-nourishment; to encourage the selection and consumption of food according to sound dietary and nutritional principle; and to make our people conscious of the bond of mutual self-interest between our urban and our rural populations.” The declaration closes by encouraging “liberal interpretation and application” of law in furtherance of the stated purposes.”

Although the statute text of New York State Agriculture and Markets Law, especially in sections of legislative findings and intent, often reveal an assumption that agriculture will occur in rural areas, definitions relating to agriculture, farmland, food, and products in the chapter are not restricted by the location of the farming or the density of the location so long as it is within New York State.

Any urban agriculture in the City of Buffalo would benefit from availing itself of the many state programs and laws in place to promote agriculture as stated in the Declaration of policy and purpose, just as rural agriculture might use them. For example, Article 22 Farmers’ Markets encourages farmers’ markets by providing assistance to municipalities and other agencies interested



in developing new or expanding existing farmers' markets. Article 23 Direct Marketing aims to provide increased opportunities for farm and food product producers to sell directly to consumers, individual or institutional, to reduce cost of food for the consumer, making the food more readily available, and to increase the share of the food dollar retained by the farm and food product producers. An example of a direct marketing activity listed in Section 284, Establishment of statewide direct marketing activities, is "Assistance to direct marketing organizations in areas identified as having poor consumer access to high quality and reasonably priced food and farm products." Article 25-A Food and Agriculture Industry Development grants awards to share the cost of implementing innovative and low risk approaches to agricultural research and development.

Several forms of legal and monetary support offered to farmers, such as right to farm and agricultural assessments, are tied to inclusion in an agricultural district. To create an agricultural district, an owner or owners of a minimum of 500 acres must submit a proposal to the county legislative body to begin the process (Section 303). Such a requirement is prohibitive in a metropolitan area, even in a city with a high rate of vacant parcels. However, other sections identify scenarios in which land outside an agricultural district can be treated as if it were within the agricultural district (Section 306. Agricultural lands outside of districts; agricultural assessments).

Along with the benefits afforded by law, community gardens and urban agriculture may also face liabilities. For example, urban agriculture within the City of Buffalo may need to comply with regulations related to agricultural activity, such as laws regulating weights and measures or packing and branding. The regulations are often product specific, each having its own article; Frozen Desserts, Poultry, and Maple Syrup are examples of foods with individual articles. These are beyond the scope of this project.





# Best Practices

This section reviews best practices on community gardens planning and policy in 15 cities throughout North America, and provides detailed case study of four cities. This review of 15 cities documents municipal support and recognition of community gardening using four criteria: 1) *legal definition* of community gardens; 2) *municipal legislation* pertaining to community gardening; 3) *municipal institutional support for ownership, operations and management* of community gardens; and finally, 4) *municipal fiscal support* for community gardens. This overview is summarized in table on pages 70-81.

As the table shows, a majority of the 15 cities have adopted specific legislation pertaining to community gardens, often as part of the municipalities' zoning codes, comprehensive plans, or common council ordinances, supporting gardening within their borders. In addition to adopting legislation, a majority of these cities also provide institutional support for community gardening through city agencies and departments. Often times, specific food policy councils, task forces, and/or city/county collaborative groups are formed to maintain and aid the progress of community gardening in their specific geographic regions.

Each city differs in its approach to managing community gardens and providing support to individual gardening initiatives. Yet, a majority provides either tools, compost, seeds, trees, or labor from city departments. Municipal financial support, a key concern for community gardeners, also varies from city to city. Many cities dedicate a small portion of their funding from federal or state programs or create their own funding programs to aid community gardening.

City	Definition	Legislation, plans, and regulations
Berkeley, California	Community gardens serve as “important open space resources that build communities and provide a local food source” (General Plan Open Space and Recreation Policy OS-8)	<p>City of Berkeley <b>General Plan Open Space and Recreation Element:</b>                      “Encourage neighborhood groups to organize, design, and manage community gardens particularly where space is available that is not suitable for housing, parks, pathways, or recreation facilities. Ensure that garden plots are allocated according to a fair and equitable formula”.                      (See Appendix)</p> <p>City of Berkeley Food and Nutrition Policy of 2001                      (See Appendix)</p>
Binghamton, New York	Community gardens are defined as “an area used by several individuals or families, operating in association with each other and under sponsorship by a nonprofit or voluntary organization, for seasonal production of vegetables and other garden produce for home consumption by the individuals or families directly engaged in such production.” (City of Binghamton Zoning Code Appedix A, Article II, 133)	<p>Gardens are permitted when:</p> <ul style="list-style-type: none"> <li>• The site plan is approved in accordance with applicable provisions of Article IX of the ordinance;</li> <li>• Compost piles are be located so as not to create a nuisance to adjoining residences</li> <li>• Gardens have a five foot setback from all property lines</li> </ul> <p>(Personal contact with Amelia LoDolce)</p>
Boston, Massachusetts	“Community Garden Open Space Subdistricts shall consist of land appropriate for and limited to the cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity; such land may include Vacant Public Land.” (Article 33, Section 33-8 of Zoning Code)	<p>Boston employs a <b>Special Zoning District: Open Space District</b>                      “The open space district and nine open space subdistricts, taken together, present a comprehensive means for protecting and conserving open spaces through land use regulations. The open space (OS) designation and an open space subdistrict designation can be used in conjunction with each other, thus establishing for the land so designated the particular restrictions of one of the subdistricts: community garden, parkland, recreation, shoreland, urban wild, waterfront access area, cemetery, urban plaza, or air-right.” (Article 33, Section 33-1)</p>

Ownership, Operation & Management	Fiscal Support
<p><b>City of Berkeley:</b></p> <ul style="list-style-type: none"> <li>• Owns and operates 5 community gardens</li> <li>• Provides its composted waste</li> <li>• Provides sites for local farmers’ markets</li> </ul> <p><b>Berkeley School District:</b> The Edible Schoolyard Program</p> <p><b>Berkeley Community Gardening Collaborative</b> (nonprofit organization)</p>	<p>City of Berkeley:</p> <ul style="list-style-type: none"> <li>• Owns and operates 5 community gardens</li> <li>• Provides the in-kind support through composting and market sites</li> <li>• Allows for land purchases and land leases for groups to create community gardens</li> </ul>
<p><b>City of Binghamton’s Department of Sustainable Development</b></p> <p><b>VINES</b>—Volunteers Improving Neighborhood Environments—(nonprofit) was formed under the Earth Day Southern Tier. VINES received \$39,000 of funding from the NYSDEC for the development of community garden sites.</p>	<p>Private gardens pay property taxes</p> <p>Gardens owned by a 501(c)(3) can have property taxes waived</p> <p>City of Binghamton started a grant for community projects called the Neighborhood Development Project Fund which provides up to \$3,000 (currently 5 garden projects submitted applications)</p>
<p><b>Department of Neighborhood Development</b> runs Grassroots Program:</p> <ul style="list-style-type: none"> <li>• Funds one staff member to provide technical &amp; financial assistance;</li> <li>• Provides two year leases for publicly owned land</li> <li>• Annually funds ten community gardening programs</li> </ul> <p>Nonprofits:</p> <ul style="list-style-type: none"> <li>• <b>Boston Community Gardens Council</b> operated by Boston Natural Area Network</li> <li>• <b>South End Lower Roxbury Open Space Land Trust</b></li> <li>• <b>Fenway Victory Gardens</b></li> <li>• <b>The Food Project</b></li> </ul>	<p>Department of Neighborhood Development’s Grassroots Program:</p> <ul style="list-style-type: none"> <li>• Offers set-up grants (\$4,000 to \$25,000) and construction grants (reimbursement of 80% of construction costs ranging from \$50,000 to \$100,000)</li> <li>• Initiated through Community Development Block Grants</li> </ul>

City	Definition	Legislation, plans, and regulations
Cleveland, Ohio	<p>“Community garden means an area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption or donation. Community gardens may be divided into separate lots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.” (Chapter 336.02 of City Zoning Code) (See Appendix)</p>	<p><b>Urban Garden District (2007)</b>                      “The ‘Urban Garden District’ is hereby established as part of the Zoning Code to ensure that urban garden areas are appropriately located and protected to meet needs for local food production, community health, community education, garden-related job training, environmental enhancement, preservation of green space, and community enjoyment on sites for which urban gardens represent the highest and best use for the community” (See Appendix)</p> <p><b>Farm Animals and Bee Ordinance</b> of 2009: Ord. No. 1562-08, Section 347.02                      “The regulations of this section are established to permit the keeping of farm animals and bees in a manner that prevents nuisances to occupants of nearby properties and prevents conditions that are unsanitary or unsafe.”</p>
Madison, Wisconsin	<p>“City of Madison has recognized the value which community gardens and voluntary efforts can add to the health of a neighborhood...” (City of Madison 1997).</p>	<p>Sec. 28.10(4)(c)68. of the <b>Madison General Ordinances</b> make community gardens a permitted use in the M1 district.                      (Planning Process in Madison, Wisconsin 2000)</p> <p><b>Madison Comprehensive Plan (2006)</b> (See Appendix)</p> <p>Troy Gardens Project:</p> <ul style="list-style-type: none"> <li>• <b>Madison Area Community Land Trust (MACLT):</b> a community land trust</li> <li>• <b>The Urban Open Space Foundation (UOSF):</b> a conservation land trust</li> </ul>
Milwaukee, Wisconsin	<p><i>No official definition organized by the city.</i></p>	<p>Milwaukee has no zoning laws to protect gardens; they operate under short term 3-year leases of city-owned vacant lots</p>



Ownership, Operation & Management	Fiscal Support
<p><b>Cleveland/Cuyahoga County Food Policy Coalition (FPC)</b></p> <p><b>Summer Sprouts Program:</b> collaboration of city of Cleveland and Ohio State University Extension</p> <p><b>City of Cleveland Department of Community Development Land Bank Program (Land Reutilization Program):</b></p> <ul style="list-style-type: none"> <li>• Vacant land acquisition policy</li> <li>• Acquires vacant and abandoned tax delinquent property and to market the property to individuals, developers and non-profit organizations for redevelopment</li> </ul> <p><b>Cuyahoga County GIS Database</b> includes community gardens</p> <p><b>Northeast Ohio Regional Food Congress</b></p>	<p>Summer Sprout Program has been historically funded by Community Development Block Funds Steps to a Healthier Cleveland</p> <p>Public Health Department awarded grant dollars to Case Western Reserved and the Ohio State University Extension to aid in resource development and staff needs for the Cleveland-Cuyahoga County Food Policy Coalition (FPC)</p> <p>Food Coordinator salary - \$36,000 to \$40,000</p>
<p><b>City of Madison:</b></p> <ul style="list-style-type: none"> <li>• Funded 30 community garden sites: 1,600 garden plots, 13 acres of land</li> <li>• Operates a community gardens website</li> </ul> <p><b>Community Action Coalition (CAC)</b> hires a community garden manager with \$25-35,000 in funding per year from the <b>Department of Planning and Community and Economic Development</b></p> <p><b>Dane County Food Policy Council (FPC):</b> founded in 2005 at the regional level to collaborate efforts between public and private groups.</p> <p><b>Troy Gardens</b> (nonprofit)—initial partnership with:</p> <ul style="list-style-type: none"> <li>• Northside Planning Council</li> <li>• Madison Area Community Land Trust</li> <li>• Urban Open Space Foundation</li> <li>• University of Wisconsin-Madison</li> </ul>	<p>Community Development Block Grant: to create between 1,250 and 10,000 hours of programming to strengthen community gardens and neighbourhood centers.</p> <p>New Garden Fund Grant, Community Action Coalition:</p> <ul style="list-style-type: none"> <li>• \$39,015/year (CDBG / City) 13 gardens managed; 295 households involved</li> <li>• Dane County FPC – initially funded by City of Madison, Dane County and University of Madison-Wisconsin (\$5,000 each)</li> </ul>
<p>Informally organized by <b>Milwaukee Urban Gardeners</b> (nonprofit):</p> <ul style="list-style-type: none"> <li>• Supports community groups wanting to have a community garden</li> <li>• Provides liability insurance</li> </ul>	

City	Definition	Legislation, plans, and regulations
Philadelphia, Pennsylvania	<p><i>The city does not have any specific legislation on community gardens and urban agriculture.</i></p>	<p>The city does not have any specific legislation on community gardens and urban agriculture.</p> <p><b>Philadelphia has had a long history of community gardening; however, its independent successes are threatened by a lack of support from city government</b></p>
Portland, Oregon	<p><i>There is no strict definition of community gardening in zoning code.</i> Agricultural activities have been defined as activities that raise, produce or keep plants or animals.                      Title 33, Planning and Zoning 33.920.500 Agriculture                      1992 Code Section 11-4-1(A)(1)(h);                      Ord. 031009-11; Ord. 031211-11.</p>	<p><b>Residential farm/forest zone (RF)</b>  <b>Single family residential zones (R20)</b> permit agricultural uses.</p> <p>Title 33, Planning and Zoning 33.110. Page 105.                      Seattle City Council Resolution -28610</p>

Ownership, Operation & Management	Fiscal Support
<p><b>City of Philadelphia</b> has created legislation and enabling mechanisms for residents purchase vacant lots:</p> <ul style="list-style-type: none"> <li>• Donor/Taker Program – allows for the acquisition of owned yet tax delinquent land.</li> <li>• Sheriff Sale – allows for the acquisition of unknown owner, tax delinquent land</li> <li>• Sideyard Option – allows individuals to apply for city-owned property as a side yard to garden on</li> </ul> <p>Nonprofits:</p> <ul style="list-style-type: none"> <li>• Pennsylvania Horticultural Society (PHS)</li> <li>• Philadelphia Green</li> <li>• Penn State Urban Gardening Program</li> <li>• Neighborhood Gardens Association (NGA)</li> </ul>	<p><i>City has only established ways to purchase vacant lots</i></p>
<p><b>Portland Parks and Recreation</b> manages 32 sites with over 1,000 plots is (1992 Code Sections 11-4-1(A)(1)(a) through (g) and (A)(2); Ord. 031009-11; Ord. 031211-11)</p> <p>The <b>Department of Neighborhoods</b> (DON) leases out gardens for up to 5 years, renewable, for up to \$2K. (Ord. 118546 § 3, 1997; Ord. 118208 § 1, 1996)</p> <p>Managed by the <b>P-Patch Trust</b> (nonprofit).</p>	<p>\$200,000 allocated for community gardens per year: \$75,000 from plot fees defray costs from the general fund</p> <p>Capitol expenses to build new gardens come from grants and fundraising.</p>

City	Definition	Legislation, plans, and regulations
Rochester, New York	<i>The city does not have any specific legislation defining community gardens and urban agriculture.</i>	Individuals/groups seeking to establish a community garden must apply for a city garden permit <b>Rochester 2010: The Renaissance Plan</b> Rochester’s <b>Neighborhoods Building Neighborhood Sector Action Plan</b> (NBN2): <ul style="list-style-type: none"> <li>• Sector 3 - to create and maintain community gardens</li> <li>• Sector 10 - to expand urban agriculture</li> </ul>
Washington, DC	The District’s law defines “urban gardens” as “any vacant lot used for the growing of food, flowers, or greenery” (DC Code Ann. § 48-401)	<b>District of Columbia Comprehensive Plan of 1984</b> Created District’s Food Production and Urban Gardens Program “provides for maintaining an inventory of vacant lots, listing each lot’s location, size, and dates of availability, providing public access to the inventory, and formulating procedures to donate and cultivate lots.” (DC Code Ann. § 48-402)

Ownership, Operation & Management	Fiscal Support
<p><b>Department of Parks, Recreation, and Human Services:</b></p> <ul style="list-style-type: none"> <li>• One staff member (Horticulture Technical Assistance)</li> <li>• Provides compost and mulch</li> <li>• Maintains city’s Garden Permit Program</li> <li>• Sponsors Flower City Garden Contest (Summer) and Winter Garden Contest annual gardening contests</li> </ul> <p><b>City of Rochester</b> Flower City Looking Good Program provides bulbs and annuals and supports landscape beautification activities</p> <p><b>Rochester Landscape Technicians Program, Inc. (RLTP)</b> partners with City of Rochester Parks Department, Cornell Cooperative Extension of Monroe County, Monroe County Parks Department, Genesee Finger Lakes Nursery and Landscape, New York State Lawn Care Association, and offers assistance in edging, mulching, planting, weeding and watering from its landscape crew</p> <p><b>Rochester Roots</b> (nonprofit) manages three school gardens and provides technical assistance</p>	<p>Department of Parks, Recreation, and Human Services:</p> <ul style="list-style-type: none"> <li>• Salary for one staff member</li> <li>• Provides in-kind support through compost and mulch donations</li> </ul>
<p><b>District Department of Parks &amp; Gardens</b> operates two gardens</p> <p><b>District’s Food Production and Urban Gardens Program</b> “... explicitly supports the provision of technical assistance to gardeners and nonprofit community garden organizations”. (Schukoske, pg. 379)</p> <p><b>DC Environmental Education Consortium</b> provides youth education and gardening instruction</p> <p><b>DC Cooperative Extension Service</b> (University of the District of Columbia)</p> <p><b>DC Urban Growers</b> (nonprofit)</p>	<p>Community gardening projects are included in the summer employment programs operated by the District of Columbia government</p> <p>“Coordination with the Board of Education of the District of Columbia, both on the use of suitable portions of buildings and grounds for urban gardens, and on the development of instructional programs in science and gardening that prepare students for related career opportunities such as restaurant produce supply, landscaping, and floral design”. (DC Code Ann. § 48-402)</p>

City	Definition	Legislation, plans and regulations
Montreal, Canada	The goal of community gardens is “to allow citizens of all ages to garden in a community context where they may improve their quality of life and their natural environment.”	<ul style="list-style-type: none"> <li>• The <b>City of Montreal</b> attempts to designate as park zones to protect from commercial speculation.</li> <li>• The City of Montreal has created an official zoning designation for 13 garden sites.</li> <li>• Some gardens are on land owned by government or religious institutions.</li> </ul>
Toronto, Canada	“Community gardens are safe, beautiful outdoor spaces on public or private lands, where neighbors meet to grow and care for vegetables, flowers and native plant species.”	<p><b>Community Garden Action Plan (1999):</b></p> <ul style="list-style-type: none"> <li>• mapped out existing gardens to assess need for additional gardens</li> <li>• developed toolkit</li> <li>• established goal of one garden per ward</li> </ul> <p><b>Toronto Food Charter</b> (See Appendix)</p> <p><b>Toronto Official Plan (2002)</b> (See Appendix)</p> <p><b>Our Common Grounds – Parks &amp; Recreation (2004) Strategic Plan</b> (See Appendix)</p>

Ownership, Operation & Management	Fiscal Support
<p><b>City of Montreal:</b></p> <ul style="list-style-type: none"> <li>• 75 garden sites, containing 6,654 allotment plots, which are gardened by approximately 10,000 residents</li> <li>• Maintains a community gardens website</li> </ul> <p><b>Department of Parks, Gardens and Green Spaces</b>  <b>Public Works Department</b> does repairs and looks after turning on and shutting off the water supplied by the city</p> <p><b>Cleanliness and Recycling Services</b> collects garbage</p> <p><b>Department of Culture, Sports, Leisure and Social Development</b> provides soil, water source, tool shed, tables, fence, sand, paint, flowers and helps maintain handicap-accessibility.</p> <p>Nonprofits</p> <ul style="list-style-type: none"> <li>• <b>Best Garden Contest</b></li> <li>• <b>Montreal Community Gardening Association</b></li> </ul>	<ul style="list-style-type: none"> <li>• Six horticultural animators</li> <li>• Cost of implementing community gardens is approximately \$2,000 per garden plot, not including the cost of soil decontamination.</li> <li>• Coordination \$12,600</li> <li>• Communications \$ 7,000</li> <li>• Horticultural facilitation \$90,000</li> <li>• Soirées du mérite horticole (gardening awards event) \$ 5,800</li> <li>• New layout of existing gardens \$60,000</li> <li>• Ongoing maintenance \$140,000</li> </ul> <p>TOTAL \$315,400</p>
<p><b>Department of Parks and Recreation:</b></p> <ul style="list-style-type: none"> <li>• Provides technical support, resources, inventory potential sites, provide toolkits and courses</li> <li>• Provides Performance indicators</li> <li>• Manages over 100 community gardens, plus 12 municipal allotment gardens</li> <li>• Operates a Community Gardens Website</li> </ul> <p><b>Toronto Food Policy Council</b></p> <p>Nonprofits:</p> <ul style="list-style-type: none"> <li>• <b>FoodShare:</b> provide a community garden manual and month by month start-up toolkit</li> <li>• <b>Toronto Community Gardens Network</b></li> <li>• <b>STOP Community Food Center</b></li> <li>• <b>Evergreen</b></li> </ul>	<p>Municipal Funding:</p> <ul style="list-style-type: none"> <li>• Garden Coordinator</li> <li>• 2002 - Expansion of Community Garden Program on city owned land from 22 gardens to 29 gardens for \$73,000 gross.</li> <li>• Community Partnership and Investment Program (Grants)</li> </ul> <p>Nonprofit Funding Sources</p> <ul style="list-style-type: none"> <li>• Federal, Provincial &amp; Municipal Government</li> <li>• Public/Private Foundations</li> <li>• Private Corporations</li> </ul>

Planning for Community Gardens in the City of Buffalo

City	Definition	Legislation, plans, and regulations
Vancouver, Canada	Community gardens are defined as “a valuable recreation activity that can contribute to community development, environmental awareness, positive social interaction and community education.”	<p><b>Food Action Plan (2003)</b></p> <p><b>Vancouver Food Charter (2007)</b> – a vision for a food system that benefits the community and environment</p> <p>Vancouver Parks Board Community Garden Policy Operational Guidelines for Community Gardens on City-owned Land (See Appendix)</p>



Ownership, Operation & Management	Fiscal Support
<p><b>Vancouver Parks Board</b> (See Appendix)</p> <p><b>Vancouver Community Agricultural Network</b></p> <p><b>Vancouver Urban Agriculture</b> (nonprofit)</p> <p><b>Vancouver School Boards:</b> administers school gardens</p>	<p>\$22,475 for a community garden pilot project (2006) on unused city land other than park land.</p> <p>Food Policy Coordinator (1 FTE) - focus partnerships &amp; collaborations</p> <p>Food System Planner (1 FTE) - focus on coordination and implementation</p> <p>Costs associated with starting a community garden pilot range from \$6000 to \$8000 per garden depending on the size of the property and the complexity of bringing water to the site.</p>



Here we provide detailed case studies of four cities that have exemplary planning and public policies for creating and sustaining community gardens and urban agriculture. These cities are: Cleveland, Toronto, Seattle, and Philadelphia.

## CLEVELAND, OHIO

### **Official Action to Govern and Support Community Gardens and Urban Agriculture**

Over the past two years a variety of individuals and groups have promoted food policy issues in the City of Cleveland. The efforts of Cleveland's urban gardeners, not-for-profit organizations, community development organizations, and government officials have resulted in two paramount pieces of municipal legislation supporting community gardening and urban agriculture within city boundaries.

In March 2007, Cleveland passed the city's first Urban Gardening Ordinance. This ordinance established an Urban Garden District. An Urban Gardening District, as defined in Part III: Title VII of the Zoning Code, was established by city government to "ensure that urban garden areas are appropriately located and protected to meet needs for local food production, community health, community education, garden-related job training, environmental enhancement, preservation of green space, and community enjoyment on sites for which urban gardens represent the highest and best use for the community". By passing this legislation, the municipality officially recognized the importance of community gardening and urban agriculture for the residents of Cleveland. By incorporating urban gardening into the written text of the city's zoning code, Cleveland has protected and sustained its existence.

In February 2009, Cleveland's Common Council passed yet another significant piece of legislation to support urban agriculture. Coined the "chicken and bees legislation", the Farm Animals and Bee Ordinance allows residents to raise chickens, ducks, rabbits, and beehives within city limits. The ordinance permits city residents on residential lots to keep one animal for each 800 square feet of parcel or lot area. A standard residential lot is 4,800 square feet which would therefore support up to six small animals in covered, predator-proof coops or cages. On lots larger than 2,600 square feet, city residents are permitted to keep one beehive. In many instances, city occupants are permitted additional animals on lots larger than one acre or on lots that are located in non-residential districts. This recent act of legislation promotes and sustains food production in city backyards, businesses, and vacant properties.

### **Definition of Community Garden**

As a part of the 2007 Urban Gardening Ordinance, community gardens are defined as "an area of land managed or maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use,



consumption or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members” (City of Cleveland’s Zoning Code - Part III: Title VII).

### **Institutional Mechanisms to Support Community Gardens Gardens and Urban Agriculture**

In early 2003, the New Agrarian Center (NAC), a 501(c)(3) organization, and Cleveland State University’s Urban Affairs College published a community food assessment of Northwest Ohio. This assessment revealed a \$7 billion food market in Northeast Ohio. These numbers, when combined with the 2.3 million people who live, work, and eat in this region, triggered the creation of several food alliances and organizations within Cuyahoga County, the City of Cleveland, and neighboring counties.

On April 5, 2003, 80 stakeholders in Northeast Ohio convened the region’s first Northeast Ohio Food Congress at Cleveland State University. This monumental assembly initiated discussion on the possibilities and challenges of the local food system, a discussion that was certainly ignited by the publication of the 2003 community food assessment. The Northeast Ohio Food Congress focused on food-related issues, encouraged the development of a strategic vision for the region’s food system, and forged relationships among farmers, restaurants, chefs, businesses, not-for-profit organizations, and government officials.

The second Northeast Ohio Food Congress convened at Hiram College for a two-day conference on November 7th and 8th, 2008. 200 diverse stakeholders gathered to discuss four major policy areas: supporting local producers and increasing productive capacity; enhancing critical food infrastructure; improving access to healthy food in under-served and low-income communities; and strengthening linkages between urban and rural areas.

Despite the five-year gap between food congresses, plenty of discussion, cooperation, and action on food-related issues took place within Northeast Ohio from 2003 to 2008. Created in August 2007, the Cleveland-Cuyahoga County Food Policy Coalition (FPC) seeks to coordinate collaboration and partnerships to improve food access in urban neighborhoods and enhance the overall food system in Northern Ohio. With representatives from over 35 organizations, groups, and businesses, the FPC cultivates direct connections between regional farmers, businesses, grassroots organizations, consumers, and policy makers. The variety of stakeholders and the variety of perspectives involved in the Cleveland-Cuyahoga FPC allow for a diversified approach to a wide range food-related issues including health and nutrition, economic development, environmental sustainability, community relationships, social capital, and food inequity.



## **Operation and Management of Community Gardens and Urban Agriculture**

Community Development Block Grant funds (CDBG) have played a strong role in the history of Cleveland's community gardens and urban agriculture system. When this component of the Housing and Community Development Act of 1974 took effect in January 1975, Cleveland decided to use its funds in an unusual way. Breaking away from the practices of most American cities, Cleveland decided to allot a portion of its CDBG funds to community gardening. Cleveland initiated its popular and extensive Summer Sprout Urban Gardening Program using CDBG funds.

The City of Cleveland's Summer Sprouts program has provided technical assistance and resources to community gardeners for over three decades. While it is now the result of a collaborative effort between the City of Cleveland and the Ohio State University Extension Office, it remains the preeminent support mechanism for Cleveland's community gardens. The city, operating through its Department of Community Development (Division of Neighborhood Sources), annually provides registered community gardens with resources such as vegetable seeds, plant starts, garden fertilizers, and leaf humus. In addition to physical resources, Summer Sprouts also lends community gardens machinery for plowing and rototilling, and assists community gardens in obtaining fire hydrant permits and equipment for watering. As long as a community garden officially registers with the Summer Sprouts program, it is eligible for the program's materials and assistance. In the summer of 2007, Summer Sprouts helped to maintain about 170 community gardens within the city's boundaries (Washington, *The Plain Dealer*, July 19, 2007).

In addition to a strong city-supported and city-funded community gardens support system support, Cleveland is home to a number of active nonprofit organizations with gardening missions. With a primary focus on improving and expanding the sustainable food system in Northeast Ohio, the New Agrarian Center (NAC) began its not-for-profit activities in 2000. Its initial project, George Jones Farm and Nature Preserve, has blossomed under NAC's leadership as a cooperative farm incubator and educational center. Formerly consisting of 40 acres of soybean fields owned by Oberlin College, the George Jones Farm and Nature Preserve now consists of 70 acres of market gardens, free-range livestock, learning spaces, naturally designed buildings, and restored wetland, prairie, and woodland habitats. The market gardens supply food to the Oberlin Farmer's Market, Oberlin College, Cleveland's City Fresh, and a number of restaurants in Oberlin and Cleveland. As an educational center, the farm's staff includes numerous instructors who provide workshop opportunities on premise for local farmers, gardeners, and organizations. The farm also developed a K-5 outdoor education curriculum in 2005 and currently staffs 5 instructors who provide educational programs for local schools.



Following the 2003 Northeast Ohio Food Congress, NAC and the Ohio State Cooperative Extension united to develop City Fresh. Operational since 2005, City Fresh has sought to create a more just and equitable food system in Northeast Ohio. City Fresh's primary goal is to improve urban residents' access to fresh locally grown food, especially in neighborhoods that have lost grocery stores. City Fresh operates thirteen neighborhood Fresh Stops: volunteer-run food distribution centers. Fresh Stops provide weekly "share bags" to residents, as well as provide nutrition education, and a space for community gathering. These "share bags" contain a mix of produce delivered fresh from 22 urban and rural farmers operating in Cleveland, Cuyahoga County, and Lorain County.

While City Fresh essentially operates Fresh Stops utilizing a form of Community Supported Agriculture, the organization offers a variety of options to keep its produce affordable for city residents. Individuals and families, according to their budget, have the option to purchase shares for an entire season (20 weeks), a few weeks, or week to week. Additionally, low-income residents may be applicable for subsidies or a discount rate of 50% for "share bags". Fresh Stop food distribution centers also have the capacity to accept Ohio Direction Cards.

The partnership between City Fresh and the Ohio State Cooperative Extension also resulted in an urban market gardening training program. In 2006, 19 urban market gardeners worked alongside the OSU Extension staff to enhance their growing skills and develop business plans in the City Fresh Urban Market Training Program. The training program included a 10 week class as well as several follow-up workshops, all led by OSU Extension Staff, to support and enhance Cleveland's urban and community gardens. Since 2006, the training program has instructed 51 urban entrepreneurs and has provided start-up funding for 13 market gardens in Cleveland.

*There are over 160 community gardens in Cleveland producing \$1.4 million worth of produce. The benefits of urban gardening are great and diverse. They are invaluable in providing a high level of nutritious food to a dense population that is often underserved by larger full-service grocery stores. Through these programs, our urban gardeners are able to stretch their food budgets by producing between \$500 to \$1,000 in fruits and vegetables. This is critical because more than 50% of urban gardeners in Cleveland earn less than \$19,000 per year. In addition to the nutrition and financial security benefits provided to gardeners, their families and others, these gardens also have a large impact on the social, culture and economics of the neighborhoods they are situated in. They are highly beneficial in strengthening community social bonds, civic pride, reducing crime, increasing area property values, and most recently providing economic benefits and jobs to urban market gardeners that garden to consume as well as to sell their produce at a growing number of "City Fresh", "Fresh Stop" urban*



*garden markets.*

Brian Cummins; Cleveland City Councilman, Ward 15; City Fresh Brochure

### **Fiscal Support for Community Gardens and Urban Agriculture**

The US Department of Health and Human Services (HHS) expanded its Steps to a Healthier US initiative to Cleveland in 2004. As one of 40 cities selected to participate in the program, Cleveland was awarded a \$1 million grant to fund chronic disease prevention activities. As a result, a strong relationship has emerged between the Cleveland Public Health Department, regional universities, and the Cleveland-Cuyahoga County Food Policy Coalition.

This relationship has certainly bolstered the community garden and urban agricultural system in Northeastern Ohio. Steps for a Healthier Cleveland provided significant financial aid and technical assistance to the food policy coalition. The Public Health Department chose allot a portion of its grant dollars to Case Western University and the Ohio State University Extension Service to aid in the coalition's resource development and staff needs.

### **Challenges to Community Gardens and Urban Agriculture**

Cleveland's decision to use some of its Community Development Block Grant (CDBG) funds for the Summer Sprout program was clever and inventive. However, as federal allocations for CDBG funding decrease, so too do the financial resources Cleveland has earmarked for community gardening. If CDBG grant money destined for Cleveland continues to decrease, the city may be forced to find alternative methods of financing Summer Sprout. There is a slight possibility that, without sufficient funds, the city may have to pull out of its valuable collaboration with the Ohio State University Extension Service. With that action, the Summer Sprout program would certainly suffer greatly, and perhaps, even be terminated.

-----

### **SEATTLE**

Community gardening has deep and rich roots in the City of Seattle's acclaimed "P-Patch" program. Serving 68 gardens with over 2,500 plots tended by 6,000 gardeners on 23 acres of land, P-Patch, a municipally-run program, has evolved into a model of how to and create open space and enhance neighborhood amenities. Currently, a joint partnership between the City of Seattle Department of Neighborhoods and the nonprofit P-Patch Trust administers community, market and youth gardening (<http://www.seattle.gov/neighborhoods/ppatch/>).

The P-Patch program began in 1970 when Raine Picardo permitted neighbors to cultivate vegetables on plots of the Picardo family farm. Ignited by massive layoffs by Boeing in 1970, stagnation and high levels of unemployment led many residents to have no jobs, money or



food. Opportunities at the Picardo family gave participating residents a sense of hope and the ability to have access to low cost fresh food (Id.).

The City of Seattle recognized the importance of the garden plots on the Picardo property. In 1973 the City purchased and took title of the Picardo farm to preserve in perpetuity community gardening at the site. Moreover, the Picardo farm and other smaller scale community gardens were united under the P-Patch program governed by the Department of Human Resources. Later, the P-Patch program would be relocated to the Department of Neighborhoods (<http://www.seattle.gov/neighborhoods/ppatch/history.htm>).

### **Institutional Mechanisms to Support Community Gardens**

During the late 1980s, hard times fell upon P-Patch gardens. Stagnant economic conditions resulted in staff and budget reductions in support of community gardens. At this time, the City did not have adequate resources to properly administer and maintain the P-Patch program. After much exploration, it was decided that the future of the P-Patch program would be best administered under a joint public-private venture. The nonprofit 501(c)(3) P-Patch Trust was chartered in 1987. Together with the City of Seattle Department of Neighborhoods, the P-Patch Trust helps organize and maintain gardens across the city (Id.).

The mission of the P-Patch Trust was to acquire, build, preserve and protect community gardens. The P-Patch Trust is essential in providing liability insurance to community gardeners. A separate Friends of the P-Patch was also organized as a fundraising and advocacy arm for the P-Patch program (Id.).

Community gardening has been a priority to the citizens of Seattle. On two different occasions in the 1990s voters approved bond initiatives that acquired land for nine different parcels of land for the purpose of establishing P-Patch community garden sites. P-Patches had initially been designated as an “interim use” that were thought of as public land use placeholders until market forces would lead to development of revenue generating developing land uses. The designation of “interim use” gardens changed with the public outcry over the attempt to develop the Bardner P-Patch (Id.).

Bardner P-Patch had operated as a 3 acre demonstration garden. As surrounding land values skyrocketed in the late 1990s, the City of Seattle attempted to partner with a developer to transform the Bardner P-Patch into a golf course. Neighborhood forces united and pushed for a successful city ballot initiative that prevent development at the Bardner P-Patch (Id.).

### **Official Actions and Fiscal Support**

Moreover, after Bardner P-Patch turmoil, the City developed the Neighborhood Matching Program (NMP). The NMP was an arm of the Department of Neighborhoods that was a match grant program that



assisted in development gardens in neighborhoods where significant interest and organization could sustain a P-Patch. The NMP has become a nationally recognized program in that it encourages residents to organize and together invest in their own neighborhood that is supplemented by grant assistance (Id.).

The NMP awards matching grants from \$2,000 up to \$15,000. Grants have not only been utilized to establish gardens, NMP has awarded funds for garden improvements, compost bins, tools and public art. Lawn and garden oriented corporations such as Smith & Hawkin have donated materials to community groups to assist in NMP match grant fundraising efforts.

Currently, the City of Seattle utilizes the P-Patch program as a way to create recreational, cultural and environmental opportunities for residents to enjoy the city. The comprehensive plan specifically cites the P-Patch program as a way to encourage and develop environmental stewardship beyond community gardening. The comprehensive plan recommends that there should be one community garden for every 2,000 households. Likewise, the comprehensive plan emphasizes that community gardens should be developed in low income neighborhoods (City of Seattle Comprehensive Plan).

The City Council recognized the value of the P-Patch program and the dilemma of limited available land in Resolution 31019. In Resolution 31019 all public municipal departments and agencies were to keep an inventory of available vacant or underutilized land that could possibly be sites for future P-Patch gardens. Seattle argues that the P-Patch program is an essential tool to strengthening the local food system. Moreover, Seattle has attempted to use P-Patch as a catalyst not just for the production of food but also for reducing food waste through composting.

-----

## TORONTO, ONTARIO

Toronto is known worldwide for its diversity in population as well as food supply. From Greektown to Chinatown to Little Italy, Toronto has one of the most culturally appropriate food systems in North America. Realizing the complex nature of a sustainable food system, Toronto has developed a complex solution. Numerous organizations and institutions have been working towards this goal for a number of years and still have a ways to go. This collective effort seems to have reached a cultural tipping point: people would much rather be seen at a farmers market than at a supermarket, or at a local food restaurant than at a franchise. The message of a sustainable food system has become mainstream and trendy.

A key component to Toronto's food system is its urban agriculture. Not only is this a place to grow food but an important outreach for the larger food system. Many people who are interested in gardening





but do not have the necessary skills can learn at a community garden. This is their first contact with the larger food system. There are many social and environmental benefits of community gardens: they grow community, food, leadership, recover compost and promote physical and emotional health.

Urban agriculture also acts as a billboard for the communities' food system. The community garden is a visual reminder of where our nutritious food comes from. Too much of our food system today is 'out of sight, out of mind;' we are not as involved in food production as we used to be and are paying the consequences for it. In a day and age where children can recognize more corporate logos than fruits and vegetables, community gardens can be a vehicle for educating, training and feeding the urban population.

### **Definition of Community Gardens**

The City of Toronto manages its community gardens in partnership with community groups. The Toronto Food Policy Council, a municipal agency (described further on), defines community gardens as outdoor spaces on public or private lands, where neighbors meet to grow and care for vegetables, flowers and native plant species. Community garden programs can also include skills development and/or job training components. The gardeners take initiative and responsibility for organizing, maintaining and managing the garden area.

The City of Toronto sees its role in community gardens as one of cultivating a larger community garden movement. The city realizes that a small investment in facilitating this movement can go a long way: community gardens bring together a diverse community, provide safety in neighborhoods and parks, provide healthy recreation, beautify neighborhoods, and provide skills development that can also be used for job training. These positive externalities are above and beyond the healthy, nutritious and culturally appropriate food that gardens generates.

### **Institutional Mechanisms to Support Community Gardens Gardens and Urban Agriculture**

The City of Toronto provides significant institutional support to community gardens through its food policy council. The Toronto Food Policy Council (TFPC) was formed in 1991 as a sub-committee of the Toronto Public Health department due to the absence of provincial and federal leadership on food security issues. TFPC works in an advisory role to keep food security and food policy on the municipal agenda in Toronto and bridge the gap between producer and consumer by being one of Canada's only urban-rural policy development bodies. However, they do not have the authority to pass or enforce laws, just advise and make recommendations. TFPC membership is comprised of a multisectoral group of citizen stakeholders from different organisations who come together to help find new ways to solve old problems. The members work on



integrating food and health policy issues that often fall between the cracks of established departments and research specialities. The TFPC is also tasked with increasing public awareness of food policy issues at the municipal, provincial and federal levels. To do this they have published research papers on food system issues in Toronto, have collected and shared hard-to-get information, works with community groups, companies and farmers to help make Toronto's food system more sustainable and hold public lectures and workshops.

In 1997, the City of Toronto initiated a Community Gardens Program (CGP) which was a partnership between a local nonprofit, FoodShare, and the Toronto Food Policy Council. A key focus of this program was a youth employment and mentorship project called "Just Grow It!", which receives funding from the Federal government and Youth Services Canada.

### **Planning and Policy Support for Community Gardens**

To provide planning and policy support to community gardens, in 1999, the City developed a Community Garden Action Plan which mapped out existing community gardens and assessed the need for additional gardens. They found that community gardens were not evenly distributed in the City and that community gardeners needed help sharing expertise on creating and sustaining community gardens. As a result they established a goal of one garden in every ward, and created toolkit for community gardeners and a train-the-trainer program. The before and after effects of this program in partnership with a number of nonprofits has been dramatic. There were only nine wards with community gardens on city owned land leaving 35 wards without.

Eight years after establishing the program there were only nine wards without community gardens and 35 wards with community gardens. There were able to ensure that 26 new wards had access to community gardens. There are now over 100 community gardens in Toronto, on both city and non-city owned land, and over 40 outstanding requests for community gardens on city parks. The Toronto Community Garden Program has truly been successful in creating a community garden movement in the City of Toronto.

While the Toronto Food Policy Council is not able to create or enforce laws, they have been successful in influencing the Parks Strategic Plan, Toronto Official Plan, Environmental Plan and the Social Development Strategy. They have also been successful in creating the Toronto Food Charter (See Appedix L) which represents a list of commitments for Toronto to follow in creating a sustainable food system. The Toronto Food Charter was unanimously approved by City Council in 2000.



The Toronto Official Plan (2007), the comprehensive plan for the city, makes references to community gardens in six places. The Official Plan recognizes community gardens as a piece of a high quality public realm and a green space opportunity. It views community gardens as a recreational need in parks and open space as well as a community service facility that needs to be located across the City and within each neighborhood. Finally, the Official Plan sees community gardens as a piece of a larger parks, open space and natural area system.

The Toronto Parks & Recreation Strategic Plan (2004), entitled Our Common Grounds, makes two mentions of community gardens. On top of the existing programs in place, it recommends a Life Garden Program to promote gardening as a healthy activity. To this end it specifically targets children's gardens. It also makes a recommendation to initiate a professional gardeners' certificate program aimed at disadvantaged youths.

In summary, the Toronto Community Gardens program, with their partners, has been successful in influencing legislation in favour of community gardens. The adoption of the Toronto Food Charter set the stage for community gardens being included in both the Official Plan and the Parks & Recreation Strategic Plan. The results has been an enormously successful community gardens program that is included in almost every ward and beautifies the city and provides a healthy for of recreation.

### **Operation and Management of Community Gardens and Urban Agriculture**

The ownership, operation and management of community gardens in the City of Toronto is a partnership between the departments of the City and various nonprofits. This partnership has insured a transparent process for establishing community gardens. Of the 112 community gardens in the City of Toronto, 50 are on City owned land and 62 are on non-city owned land. Of the 50 on City owned land, 36 are in parks, 5 on community center land, 5 on Parks, Recreation & Forestry property, 2 in hydro corridors and 2 on other property. The 62 community gardens on non-city owned land are primarily on the land of nonprofits, schools, mental health institutions and low income housing projects. For example, Regent Park in Toronto is Canada's first and largest social housing project. One of Regent Park's social services is an elaborate community garden program. As a result, Regent Park is known for its sense of community and has one of the lowest crime rates of the social housing projects in Toronto.

There are several groups that operate, manage and advocate for community gardens. In Toronto, the City is viewed as a supporter of food programs and projects. While community gardens are developed and run by the community, the City provides much help. Parks and Recreation staff has helped provide some of the necessary infrastructure to make community gardening possible. They have helped turn City-owned greenhouses into year-round community



gardens, install water hook-ups in community gardens, compile a list of potential community gardening sites in City parks, and develop a Community Gardens Toolkit. Most of the funding for the above projects came from an Ontario Works Incentive Fund. Parks and Recreation has also provided start up money for a Children's Garden program and a Plant a Row, Grow a Row. This initiative encourages community gardeners to grow and donate produce to either a food bank or a drop-off location in a high-need area. According to Toronto's Parks and Recreation 2007 annual report, they helped with 124 community gardens, 4,000 community gardeners and engaged 1,300 children and youth in eco-programs. The city also provides a website, see Appendix X, which provides a starting point for anyone interested in community gardening in the City of Toronto.

The most notable nonprofit organizations involved in community gardens are the Toronto Community Gardens Network (TCGN), FoodShare, the STOP Community Food Center and Evergreen. The Toronto Community Gardens Network was established to encourage a healthy community gardening movement in the City of Toronto by supporting and linking community gardeners. They hold events, mini conferences, seed exchanges, bus tours, harvest parties and distribute an E-bulletin. Their website contains information and maps for all of the community gardens in Toronto. They also have a section for volunteers which easily points you in the right direction if you are interested in getting involved. The TCGN motto is "For a vibrant green Toronto and a healthy garden movement. Changing the City one root at a time." They define community gardens as a place for interested and energetic individuals and organizations who are committed to greening and organic gardening to come together and make community gardening an integral part of city life across the City of Toronto. They realize that diversity of people is vital to the health of all communities and they welcome people of all beliefs, experiences and backgrounds.

FoodShare is a large nonprofit that provides a number of services to community gardens. They host a hotline service where you can get information about community gardens in Toronto and a number of other food services. They educate groups and individuals on aspects of community garden implementation and train them on leadership skills. They also provide a community garden manual and month by month start-up toolkit that is an invaluable asset for new group that are trying to establish a community garden. Finally, they plan an advocacy role by advocating with all levels of government and private and public foundations for land for more community gardens and resources to sustain them.

The STOP Community Food Center and Evergreen are nonprofits that also provide services to community gardens. The STOP's mandate is to increase people's access to healthy food in a manner that maintains dignity, builds community and challenges inequality. They provide workshops and provide food animators to start food projects. They



are also embarking on a large scale school garden project. Evergreen has a mandate to make cities more liveable. They are involved in mostly environmental remediation programs but see the role that community gardens play in remediation. They operate three community gardens in Toronto.

### **Fiscal Support for Community Gardening and Urban Agriculture**

Initially funding for implementing community gardens was scarce; as a result a number of initiatives had to be implemented within the limits of existing resources. This was especially difficult for the community sector which is already stretched too thin. Eventually funding was made available through the Ontario Works Incentive Fund. However this was a one-time capital and development funding opportunity, and did not provide a sustainable funding base for community-based food security programs such as community gardens. Fortunately, in 2002, the City of Toronto budgeted \$73,000 to expand its community gardens project from 22 to 29 gardens. Further funding has been made available to the nonprofit sector from other Federal, Provincial and Municipal programs. Most recently, in 2008, the City included in their budget a goal of increasing community gardens by 10% through the existing resources of their Parks & Recreation Department. Parks & Recreation currently employs one person as a Community Gardens Coordinator and the Board of Health provides funding to staff the Toronto Food Policy Council. In 2008, the Mayor of Toronto announced a five-year \$20 million Live Green Toronto Fund for community based action against climate change. As part of this initiative, community gardens are an acceptable capital grant proposal and already a grant has been approved to provide high-quality compost for community gardens.

### **Challenges to Community Gardens and Urban Agriculture**

While Toronto has experienced success with its community gardens, the city is attempting to scale-up its efforts to make its food system more sustainable. To this end, it has experienced some challenges. While food system planning has been around for a number of years, it is still new to many politicians, planners and the general public. This sheer newness and boldness of food issues represents challenges. New partnerships must be formed between the community, public and private sector. Leaders are accustomed to learning by trial and error and this also presents a challenge. Unlike Buffalo, Toronto also has a lack of vacant land, and there is a constant development pressure. Many community gardens have had to be established on park lands to ensure a secure tenure. While community gardens have begun to make appearance in the official city plans, such as the Official Plan and Parks Strategic Plan, there is still a lack of policies in regards to community gardens and urban agriculture in general.

Toronto would like to increase its number of community gardens especially in food-insecure and high-need neighborhoods (i.e. neighborhoods with seniors, people with disabilities, psychiatric



survivors, and people with developmental delays). The City’s goal is to have a community garden in all 44 of their wards.

-----

## PHILADELPHIA, PENNSYLVANIA

Over the past five decades, Philadelphia has struggled with many of the same challenges that have plagued the Rustbelt cities of the Northeastern United States. Since 1950, the city’s population has declined by 32 percent, dropping from 2,071, 605 in 1950 to an estimated 1,417,602 in July 1999. (Kaufman and Bailkey, pg. 34) In addition to a large population loss, Philadelphia has also suffered from a significant decline in corporate and manufacturing activity, resulting a shrinking job pool. As a result, the landscape of Philadelphia became laden with vacant lots ridden with abandoned structures, debris, and often, crime. These vacant pockets of land soon became a threat to Philadelphia’s residents, darkened and depressed areas that compromised the security and cohesiveness of urban neighborhoods.

Instead of succumbing to the vacant lots, organizations and residents united together to transform blight into bright and dead into productive. In the mid-1960s, a HUD beautification grant financed the transformation of vacant lots into sixty small parks. Soon after, the Pennsylvania Horticultural Society, the University of Pennsylvania, and numerous additional grassroots organizations began a number of initiatives to green and beautify the city through community gardening. Since these efforts commenced in the 1970s, the residents of Philadelphia have sought to reclaim their city, a difficult task given the still thousands of remaining vacant lots.

Despite obstacles, Philadelphia has become one of the foremost cities in the nation in addressing the issues of food justice. Today, the city is home to hundreds of community gardens and numerous urban agricultural farms, endeavors that together fill acres of land with fruit orchards, vegetable patches, and berry fields. In the past decade, Philadelphia has devised several initiatives and supported numerous programs to entice supermarkets into its low-income neighborhoods and encourage healthy eating by the city’s youth. Partnerships between nonprofits, CDC’s, residents and city agencies have allowed for great strides in access to food for all.

### **Nongovernmental Mechanisms to Support Community Gardens**

In 1974, the Pennsylvania Horticultural Society (PHS) experimented with a pilot community garden program to beautify vacant lots and put them into better use. Encouraged by the pilot program’s overwhelming public attention and support, PHS started Philadelphia Green in 1978. Opening with only 2 staff members and a budget

Philadelphia Green has been funded by the city’s Department of Licenses and Inspections to develop 100 vacant lots into gardens annually.



of \$25,000, the organization has quickly grown in its 21 years of operation. Today, Philadelphia Green has grown to an organization maintained by over 40 staff members who offer a wide range of programs and opportunities for the residents of Philadelphia. Philadelphia Green often provides technical assistance to community gardens as well as physical and plant materials such as fences, tools, plants, and seeds. In recent years, Philadelphia Green has also been funded by the City's Department of Licenses and Inspections to develop 100 vacant lots into gardens annually. Through this agreement, Philadelphia Green has the opportunity to create about 50 community gardens while the City of Philadelphia avoids the long-term costly maintenance of vacant land. Whether serving as a leader or an intermediary, Philadelphia Green has collaborated with over 1,200 neighborhood groups, government organizations, and corporations and has been associated with nearly 2,000 greening projects in Philadelphia.

The Pennsylvania Horticultural Society (PHS) also offers annual incentives for community gardeners to put forth their best effort in maintaining and operating their gardens. Since 1975, PHS has annually held its City Gardens Contest in July and August. Receiving over 300 entries a year, teams of judges visit each entry site and evaluate the garden based on its maintenance and horticultural practices, variety, color and suitability of the plantings, and design and total visual effects. Additional points are also awarded for imagination and ingenuity. The City Gardens Contest has become quite competitive within Philadelphia's extensive community garden culture. Many compete for bragging rights and the opportunity to attend Pennsylvania Horticultural Society award gala in October.

While Philadelphia Green often provides building and planting supplies to community gardens, the Penn State Urban Gardening Program often provides education and design assistance to community gardens. The program started in 1977 when Philadelphia, along with New York, Chicago, Los Angeles, Detroit, and Houston, was awarded funding from the United States Department of Agriculture Extension Service. From the start, the goal of this program has been to assist low-income city residents to grow and preserve food and improve their nutrition and health. The Penn State Urban Gardening Program has instructed hundreds of community gardens in demonstration and composting workshops. For 22 years, the program has sought to annually increase the return of investment for gardeners in terms of the amount of produce provided. In Philadelphia, the program has significantly increased the amount of food available to low-income families. In fact, in 1992, low-income families in Philadelphia grew an average of \$700 worth of produce per household plot, and realized a rate of return (in food produced) of seven dollars per one dollar invested. (Hynes, pg. 89)

Since 1986, the Neighborhood Gardens Association/ A Philadelphia Land Trust (NGA) has fought for the long-term preservation



of existing community gardens and open spaces throughout Philadelphia. Over the past 20 years, this 501(c)(3) nonprofit corporation has found a way to anchor title to the vacant, and often tax-delinquent, land on which many of the city's gardens were located. Instead of relying on easements or single year agreements, NGA has gained clear title to the land on which many garden. By creating an urban land trust, NGA has holds title to 29 community gardens on parcels ranging from 3.7 acres to 30 feet by 60 feet lots. In many instances, the City of Philadelphia donated the land that NGA holds, charging NGA only the cost of transferring title. Through the efforts of NGA, the amount of vacant land on the city rolls decrease and the number of gardens preserved for their tenders and neighborhoods increase.

The 29 land-trusted community gardens owned by the Neighborhood Gardens Association/ A Philadelphia Land Trust (NGA) are managed and operated by traditional land trust procedures. While NGA holds title to the gardens, it is the responsibility of the neighborhood and residents to maintain the garden. While gardeners handle the planting and harvesting, NGA handles the insurance and taxes for the gardens.

### **Nonprofit Funding for Community Gardens in Philadelphia Today**

Community Development Block Grants were essential to the early success of the community gardening movement within Philadelphia. In 1978, the Philadelphia Green received a Community Development Block Grant from the City's Office of Housing and Community Development. From that point on, Philadelphia Green has been involved in the greening of the streets of Philadelphia and has become the nation's largest comprehensive community greening program. Today, Philadelphia Green receives 50% of its funding from foundations, 20% from the renowned Philadelphia Flower Show, and 30% from grants and city contributions. Grants and awards from charitable regional foundations have also been critical to the success smaller gardening initiatives and community gardens. Clearly, an above-average, truly outstanding, nonprofit sector has allowed community gardening to exist for decades in Philadelphia.

### **The Role of Philadelphia's Residents**

Individuals who have lived in close proximity to Philadelphia's vacant lots have displayed incredible vision in the past three decades. They have looked beyond the trash-filled, abandoned lots that stood before them. They have imagined the beauty that could be achieved if neighbors simply joined together. Simply put, they have viewed the vacant lands of their neighborhood as a means to unite their struggling community.

In an attempt to engage both the youth and the elderly, numerous neighbor residents became pioneers and started a community





garden movement in a vacant lot on their block. Early in its history, Philadelphia Green required, as a prerequisite to its aid, that 85% of neighborhood agreed to fully participate in the neighborhood's community garden. In a majority of Philadelphia's gardens, that level of commitment is present, despite the fact that the mandate has expired. It is the high level of community involvement and neighborhood devotion that truly allows the gardens in Philadelphia to serve as a national model that others should emulate.

### **The Role of the City Government in Philadelphia**

Absent from Philadelphia's Community Garden Case Study, up until this point, is a discussion of the role played by City of Philadelphia's government. Despite an active nonprofit sector and high levels of neighborhood involvement, city government has yet to fully institutionalize community gardens on the legislative books.

One of the small ways that the city has aided the community garden movement has been by creating several mechanisms by which neighborhoods and residents acquire the land on which they seek to garden. If an individual is gardening on a city-owned vacant lot next to their home, he or she may apply to take ownership of the property as a sideyard. If an individual is gardening on property that is tax delinquent and that the owner no longer wants, the individual may participate as a taker in the City of Philadelphia Donor/Taker Program. If the property qualifies for the donor/taker program, the city will take ownership of the land and waive the taxes owed on the land. The city will then either sell the property at market value or donate the property to the taker. If an individual cannot find the owner of a parcel of tax-delinquent vacant land, he or she may acquire the land through the City of Philadelphia's monthly Sheriff Sale. Each month, the City of Philadelphia holds a Sheriff Sale to auction off privately owned properties that are abandoned and tax delinquent. The minimum bid for each piece of property is \$100 but the price may increase depending on the amount of taxes owed.

While the city government has lagged behind the efforts of city residents and nonprofit organizations, recent changes and proposed legislation suggest that change may be on the horizon. In the spring of 2006, the City of Philadelphia embarked on an ambitious program, GreenPlan Philadelphia. GreenPlan Philadelphia is the city's first comprehensive plan for its parks, recreation areas, and open space. Through its creation, the city has sought to create a sustainable 15-year plan for the effective management of all existing and future open space in Philadelphia. Utilizing an extensive community engagement process, consisting of community meetings, an official GreenPlan Philadelphia website, and communication at a number of community events, GreenPlan Philadelphia has attempted to incorporate the desires of residents into plans for the future. In addition to community input, GreenPlan Philadelphia included representatives from employees from 14 city agencies and representatives from



12 non-city, regional organizations. Completed in December 2007, GreenPlan Philadelphia has become a document that includes an inventory of the city's natural resources, funding strategies for the plan's implementation, an assessment of the costs and benefits of quality open space, and evaluation tools to measure the successful implementation of the plan.

However, despite the promise for green spaces in GreenPlan Philadelphia, the city still lacks an operational municipal community garden support system. Community gardens are not defined or included in any legislative documents. The current zoning regulations are devoid of the words: community gardens and urban agriculture. Again, however, hope looms in the future. In May 2007, 80% of city voters approved a ballot question that called for the creation of a Zoning Code Commission to reform and modernize Philadelphia's Zoning Code. The newly formed Zoning Code Commission is currently engaging in community meetings and operating a website to gather information on how to adapt and revise current zoning regulations.

Additionally, a number of city agencies and departments have provided support to green initiatives in the past. The City of Philadelphia Recycling Department has been a critical partner and teacher for many individuals involved in urban gardening for decades. As a result of having no local landfill, Philadelphia was the first city in the nation to mandate the recycling of paper, bottles, certain plastics, metal cans and organic waste. Consequently, the Recycling Department has trained hundreds of "master composters" in methods to reduce waste, mix leaves and grass, and operate worm farms. Several gardeners within Philadelphia community gardens have been trained in composting through programs led by the Recycling Office and the Penn State Extension Urban Gardening Program. The City of Philadelphia Department of Licenses and Inspections aids individuals and groups in attaining the paperwork and licenses necessary to acquire vacant lots. There is much hope that the new Mayor's Office of Sustainability, created in 2008, will serve in the same capacity and be the mechanism to promote supportive legislation for community gardens and urban agriculture.



# Recommendations

Community gardens provide multi-faceted benefits. They beautify neighborhoods, increase food security, foster economic development, encourage civic engagement and positive social interaction, reduce crime and vandalism and regenerate neighborhoods. Community gardens meet the goals outlined in the Queen City Comprehensive Plan by providing a place for civic interaction and community building. They have the potential of transforming Buffalo's vast supply of vacant land - currently seen as blight - into a green infrastructure for Buffalo. However, this is not possible if the city government and the community envision community gardens as a temporary land use, and as a stop-gap solution for maintaining vacant property. The following recommendations are meant to foster the development of community gardens in the City of Buffalo, hence for known as the City.

These recommendations are presented in two sections: the first focuses on city-wide organizational changes, while the second suggests changes to existing policy and planning practices. In addition, we briefly described factors for consideration when siting a community garden, which can be found in Appendix O.

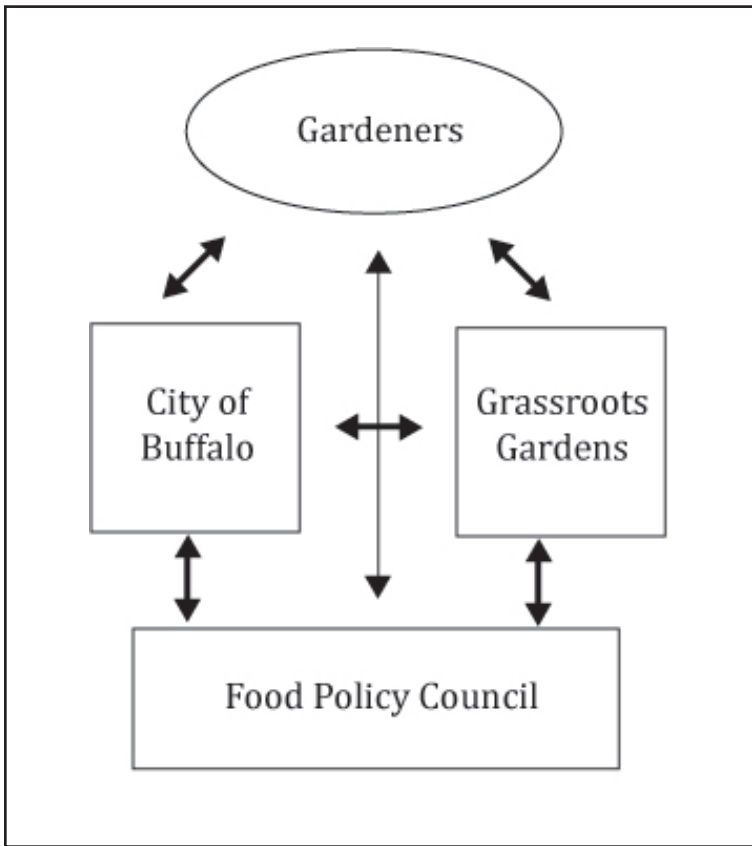
## **City-Wide Planning and Policy Recommendations**

### Organizational Recommendations

#### 1) Establish a Food Policy Council

The success of these recommendations is contingent upon the presence of an institutional mechanism that will oversee their implementation. Because the Community Gardens Task Force is confined to a specific time period and focus area, the City should consider creating a more prominent place for food and gardening related discussion that would ensure proper outreach and public participation in policy decisions. One way to ensure this is to establish a Food Policy Council. This council would serve in an advisory role to the City on all food-related issues including community gardening. The council would collect and disseminate information on food-related initiatives and endeavors to the City. The council can be composed of the current Task Force appointees, but should also be open other community members involved in or interested in community gardening.

We recommend delineation of responsibilities among the various stakeholders. The Food Policy Council will act as an advisor to the City of Buffalo and to Grassroots Gardens on issues involving community gardens. The City will oversee the leases and Grassroots Gardens



will be responsible to the gardens as well as the gardeners. Information will be shared among stakeholders efficiently and effectively to make the process easier for the gardeners.

## 2) Support and Expand Crucial Role of Grassroots Gardens

We recommend that the Task Force and the City of Buffalo work with Grassroots Gardens to encourage and enable them to expand their role in coordinating and managing Buffalo’s community gardens. Grassroots Gardens is already established as a lead organization with this type of expertise in the city. They are currently the lead organization that leases and insures city-owned lots for the purpose of community gardening. The City should work with Grassroots Gardens to streamline the start-up process for establishing community gardens.

Grassroots Gardens, acting as the main resource for gardening expertise, should do the following:

- Compile a resource list of books and websites full of information on gardening practices.
- Provide information on lease options and the steps to purchasing the land for gardens.
- Establish a working relationship with the City of Buffalo.
- Establish a working relationship with gardeners.



### 3) Facilitate Partnerships with Other Organizations

We recommend that the municipal government facilitate partnerships with other organizations to expand community gardening in the City of Buffalo. These organizations include, but are not limited to: Grassroots Gardens, city government, local universities and student organizations, restaurants, local florists, religious institutions, Buffalo Botanical Gardens and Buffalo In Bloom.

### 4) Staff and Material Support from the City of Buffalo

To ensure implementation of these recommendations we recommend that the City of Buffalo identify a staff person responsible for planning community gardens. This person can provide staff assistance to the Food Policy Council to ensure the flow of information from the City and to provide proper direction and guidance. The staff person would also be responsible for the creation and maintenance of a database that identifies available land for gardening, as discussed below. Prospective gardeners should also be able to contact this person through the City's 311 phone service. This service could also be used to report gardens that might not be maintained properly.

This position should be housed within the Department of Planning (in several municipalities such positions are housed in a parks department). Budgeted support could come from New York State Department of Agriculture.

Furthermore, we recommend that the Task Force to request that the City to provide other resources to the gardeners, such as access to water, compost, and to tools necessary for gardening. Also, materials from buildings and lots that have been demolished should be made available for gardeners to use in their lots. Currently, this is an ongoing informal practice, but it should be formalized going forward.

## **Policy and Planning Recommendations**

### 1) Facilitate the Sale of Publicly-Owned Vacant Land

Community gardens are a fundamental aspect of community and social development. Community gardens are not a temporary 'stop gap' property maintenance solution. The sale of vacant land for community gardens should be a primary focus for the City of Buffalo. The first step in such a proposal could be modeled after the City of Philadelphia, see case study on Philadelphia.

### 2) Database on Available Vacant Land for Community Gardens

We recommend that the City maintain, and make publicly available, a database on vacant land that the Food Policy Council can use to identify land suitable for community gardens. A possible model for this is the Diggable City Database in Portland, Oregon. This database should



be integrated with the City's website. For developing this database, the City can seek assistance from an intern, preferably a local planning student.

### 3) Land Lease Agreements

Because community gardens play a vital role in community building and beautification, we recommend the City provide more favorable land lease arrangements that recognize community gardening as a viable land use. A land lease agreement should be long enough to make it possible for gardeners to care for the soil and make it worthwhile for the community to be involved in gardening. A land lease agreement should serve as protection for a community's monetary and sweat equity investment.

A. Longer lease terms should be provided for sustaining gardens. These agreements should recognize the length of time a garden has been in existence. Once a garden outlasts the preliminary land lease agreement, gardeners should have the opportunity to apply for a sustaining lease term spanning a time period longer than five years or more. This lease can still include a cancellation clause but should also employ a first right of refusal clause to allow neighborhood groups to purchase their garden land for a reasonable and affordable price.

B. Lease agreements for first-time gardeners should incorporate contractual periods that require gardening groups to substantiate their ability to maintain and improve the land they lease from the City. This preliminary lease should span more than one year to ensure gardeners are given ample time to for soil fixing and garden startup.

This contract can include a cancellation clause; however this clause should be based on seasonal time periods rather than calendar months. The cancellation clause of a land lease agreement should include sensitivity to seasonal periods. For example, if a development project is proposed on City-owned, leased land during the growing season, the City must give ample notice that allows gardeners to complete the growing season and harvest and remove valuable plants and materials safely. If a development project is proposed during the off-season, gardeners should be given ample time in the spring to clear valuable dormant plants and materials.

C. The City should recognize the highest and best use of some vacant land may be for community gardens. A first right of refusal should be offered to gardeners to allow land purchase in the event of a development opportunities on an existing community garden. This price should be fair and based on the land's current assessment and value. The City should work with gardeners who wish to purchase this land to arrive at a mutually fair price. When purchase is not an option, the City should work with both parties to determine if another site would



be suitable for development or community gardening. In this case, the City should again be sensitive to growing seasons, giving relocating gardens any assistance necessary and ample time to harvest and/or remove dormant plants.

#### 4) Inclusion of Community Gardens in the City's Charter, Comprehensive Plan, and Zoning Ordinance

In order to properly address the viability of community gardening within the City of Buffalo, we recommend that the Task Force (or a future Food Policy Council) work with the City of Buffalo to incorporate community gardening into existing municipal plans, ordinances and codes. Incorporating clear language about community gardens in the City's charter, zoning ordinance, and comprehensive plan will legitimize gardening as a practical land use and help vanquish the incorrect perception that community gardening is an interim use.

To this end, we recommend that community gardens be listed as a permitted land use in all zoning districts in the City of Buffalo. We also recommend that language in this provision include a definition of a community garden that is the same as or consistent with the New York State definition. Consistent with New York State law, it should also recognize the necessity of having a sufficient water supply for cultivation practices used on the site, and an explicit acknowledgment that public land may be used for community gardens.

In addition, we recommend that corresponding regulations, which the permitted use of community gardens would be subject to, should discuss issues of soil contamination and testing, garden governance structure and operation rules, liability, drainage to adjacent property, retail sales, structures, fences, and signs. Provisions concerning soil contamination and testing should ensure the safety of persons, requiring testing of soils where there is a reasonable chance of contamination. However, such provisions should not be so restrictive as to be prohibitive since soil testing and subsequent remediation can be an expense community gardens may not be able to afford. For example, gardeners could be exempted from soil testing if growth of edible plants was restricted to soil brought to the site for use in raised beds. Provisions concerning garden governance should delineate the necessity for operating rules for community gardens, the required components of said rules, an obligation to have a garden coordinator, and the appropriate offices to file contact information of the garden coordinator as well as a copy of the operating rules. Provisions should also require maintenance that ensures no water or fertilizer drain onto adjacent property, demand liability insurance or waiver for all gardeners, allow produce grown on the site to be sold on site, and direct compliance with applicable city ordinances regulating structures, fences, and signs.



For an example of model language, see “Establishing Land Use Protections for Community Gardens” or “Community Garden Policy Language Only” (word) by Planning for Healthy Places at [www.healthy-planning.org/modelpolicies.html](http://www.healthy-planning.org/modelpolicies.html). This model language can also be found in Appendix O.

#### 5) Performance Standards for Community Gardens

It is important to establish performance standards or measures for community gardens because they ensure that gardeners are accountable for garden maintenance. We recommend that Grassroots Gardens be charged with establishing these guidelines and performance standards following a thorough public participation process that ensures that community gardeners are involved in designing these measure. This is critical because only gardeners can truly understand when a community garden is well-maintained, in transition, or neglected. As one community gardener noted: what is one man’s weed is another man’s wild flower. Leased gardens that meet these standards should be rewarded with an extension on their lease, while those that do not comply may be issued a ticket or have their lease terminated.





# Resource Guide

## GENERAL WEB SOURCES

*American Community Gardening Association*

[www.communitygarden.org](http://www.communitygarden.org)

*Americans with Disabilities Act Standards for Design*

<http://www.ada.gov/stdspdf.htm>

US Department of Justice website with information pertaining to universal design to accommodate persons with disabilities.

*Community Food Security Coalition*

[www.foodsecurity.org](http://www.foodsecurity.org)

*The Food Trust*

<http://www.thefoodtrust.org/>

A Nonprofit Devoted to Food Justice

*University of California Cooperative Extension*

[http://celosangeles.ucdavis.edu/garden/articles/startup\\_guide.html](http://celosangeles.ucdavis.edu/garden/articles/startup_guide.html)

This is a guide for community members on how to start a community garden. It provides step by step recommendations on how to start, manage and maintain a community garden.

-----

## FUNDING RESOURCES

*U. S. Department of Agriculture*

<http://www.usda.gov/wps/portal/usdahome>

-----

## BOOKS AND REPORTS

Kaufman, J. L., & Bailkey, M. (2000). *Farming inside cities: Entrepreneurial urban agriculture in the United States* (Lincoln Institute of Land Policy Working Paper).

Cambridge, MA: Lincoln Institute of Land Policy. Retrieved from <http://www.queencityfarm.org/FarmingInsideCities.pdf>.



Lawson, L. (2005). *City Bountiful*. Berkeley, CA: University of California Press.

This book gives a thorough account of the history of community gardens in the United States and is suitable for someone looking to learn about the driving forces of community gardens. It is arranged chronologically where each chapter focuses on a different garden movement. The photographs throughout the source complement the text well. Each chapter also contains examples of gardens in the United States that reflect their respective movement.

Planning Advisory Service Report, No. 554. Chicago: American Planning Association.

Raja, S., Born, B. & Kozlowski Russell, J. (2008). *A Planners' Guide to Community and Regional Food Planning: Transforming Food Environments, Building Healthy Communities*.

-----

## CITIES

### **Cleveland**

*CityFresh*

<http://www.cityfresh.org>

Nonprofit Initiative: Operation of 13 Neighborhood Fresh Stops in City of Cleveland

*City of Cleveland*

<http://portal.cleveland-oh.gov/CityofCleveland/Home>

*Cleveland Botanical Garden*

Organization that Operates Youth-Focused Green Corps

[www.cb garden.org](http://www.cb garden.org)

*The Cleveland-Cuyahoga County Food Policy Council*

<http://www.cccfoodpolicy.org/>

Network of 45 Government Agencies, Local Organizations, and Businesses

*George Jones Farm and Nature Preserve*

<http://www.georgejonesfarm.org/>



## Nonprofit Initiative: Urban Agricultural Resource

*GreenCityBlueLake Institute*

<http://www.gcbl.org/about>

Collaboration of EcoCity Cleveland and Cleveland Museum of Natural History

Kious, A. D. (2004). Preserving community gardens in Cleveland: Sustaining long-term financial, social, and environmental value.

*Local Food Cleveland*

<http://www.localfoodcleveland.org/>

*The New Agrarian Center*

[www.gotthenac.org/](http://www.gotthenac.org/)

*Ohio State University Extension Service – Cuyahoga County*

<http://cuyahoga.osu.edu/>

Sporleder, T.L. (2005) OHFOOD An Ohio food industries input-output model (AED Economics Report AEDE-RP-0048-05 Version 8.1). Columbus: OH: The Ohio State University.

Washington, R. (2007, July 19). Setting the table for bountiful gardens. The Plain Dealer, Retrieved March 6, 2009 from <http://www.plaindealer.com/>.

### **Madison**

*Community Action Coalition for South Central Madison Inc.*

<http://www.cacscw.org/>

*Community Groundworks at Troy Gardens*

<http://www.troygardens.org/index.html>

*Madison Comprehensive Plan*

<http://www.cityofmadison.com/planning/comp/>



## **Montreal**

*City Farmer*

<http://www.cityfarmer.org/Montreal13.html>

*Community Gardening in Major Canadian Cities: Toronto, Montreal and Vancouver Compared*

<http://www.cityfarmer.org/canadaCC.html>

*Montreal Community Garden Program (2006)*

[http://ville.montreal.qc.ca/pls/portal/docs/page/librairie\\_en/documents/Montreal\\_Community\\_Gardening\\_Program.pdf](http://ville.montreal.qc.ca/pls/portal/docs/page/librairie_en/documents/Montreal_Community_Gardening_Program.pdf)

*Montreal Community Gardens Website*

[http://ville.montreal.qc.ca/portal/page?\\_dad=portal&\\_page-id=66,3003509&\\_schema=PORTAL](http://ville.montreal.qc.ca/portal/page?_dad=portal&_page-id=66,3003509&_schema=PORTAL)

## **Philadelphia**

Fairmount Ventures, Inc. (2000). Managing vacant land in Philadelphia: a key Step toward neighborhood revitalization. Philadelphia, PA: Pennsylvania Horticultural Society Publication. Retrieved February 23, 2009, from Pennsylvania Horticultural Society Website: <http://www.pennsylvaniahorticulturalsociety.org/garden/vacantmanual.html>

*GreenPlan Philadelphia*

<http://www.greenplanphiladelphia.com/>

Long-Term, Sustainable Planning Initiative for Philadelphia

Haefer, C., Gannon, J., Muchovic, T., Nec, S., & Schrieber, P. (2002). Reclaiming vacant lots: a Philadelphia green guide. Philadelphia, PA: Pennsylvania Horticultural Society Publication. Retrieved February 23, 2009, from Pennsylvania Horticultural Society Website: <http://www.pennsylvaniahorticulturalsociety.org/garden/vacantmanual.html>

Hynes, H. Patricia. (1996). A patch of Eden: America's inner city gardeners. White River Junction, Vermont: Chelsea Green Publishing Company.

*Neighborhood Gardens Association*



<http://www.ngalandtrust.org/>

A Philadelphia Land Trust

*Pennsylvania Horticultural Society*

[http://www.pennsylvaniahorticulturalsociety.org/phlgreen/community\\_gardens.pdf](http://www.pennsylvaniahorticulturalsociety.org/phlgreen/community_gardens.pdf)

Community Gardens Project Profile

*Philadelphia Zoning Code Commission*

<http://www.zoningmatters.org/>

Official Website for City Zoning

*Project for Public Spaces : Philadelphia Green: Expanding Its Role in the Community*

[http://www.pps.org/parks\\_plazas\\_squares/info/community/engage-comm/success\\_philadelphiagreen](http://www.pps.org/parks_plazas_squares/info/community/engage-comm/success_philadelphiagreen)

Soroko, J. (2009, February 23). Observations on the greening of Philadelphia. (Electronic version). *The Pennsylvania Lawyer*, September/October 2008), pg. 22-24.

Springer, C. (2009, February 23). Urban land trusts: connecting communities through shared spaces. (Electronic version). *Land Trust Alliance* (Winter 2006), pg.14-16.

## **Toronto**

*City Farmer*

<http://www.cityfarmer.org/torontoplan.html>

*Community Gardens in the City of Toronto*

<http://www.toronto.ca/parks/programs/community.htm>

*Evergreen*

[www.evergreen.ca](http://www.evergreen.ca)

*Foodshare Gardens*

<http://www.foodshare.net/garden01.htm>

Planning for Community Gardens in the City of Buffalo

*The Stop Community Food Centre*

<http://www.thestop.org/>



*Toronto Community Garden Network*

[www.tcgn.ca](http://www.tcgn.ca)

*Toronto Food Policy Council*

[http://www.toronto.ca/health/tfpc\\_index.htm](http://www.toronto.ca/health/tfpc_index.htm)

*Toronto Official Plan*

[http://www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

*Toronto Parks & Recreation Strategic Plan* [http://www.toronto.ca/parks/reactivate/ourcommongrounds\\_final.pdf](http://www.toronto.ca/parks/reactivate/ourcommongrounds_final.pdf)

## **Vancouver**

*City Farmer*

<http://www.cityfarmer.org/vanccomgard83.html>

*Food Policy – Community Gardens*

<http://vancouver.ca/commsvcs/socialplanning/initiatives/foodpolicy/projects/gardens.htm>

*Vancouver Community Gardens*

<http://vancouver.ca/parks/parks/comgardn.htm>

*Vancouver Community Gardens Policy*

<http://vancouver.ca/parks/parks/comgardnpolicy.htm>

*Vancouver Food Charter*

<http://vancouver.ca/commsvcs/socialplanning/initiatives/foodpolicy/policy/charter.htm>

*Vancouver Urban Agriculture*

<http://www.vancouverurbanagriculture.ca/home.html>

*Vancouver Food Policy Task Force Report*

<http://vancouver.ca/ctyclerk/cclerk/20031209/rr1.htm>



# References

Alaimo, K., Packnett, E., Miles, R. A., & Kruger, D. J. (2008). Fruit and Vegetable Intake among Urban Community Gardeners. *Journal of Nutrition Education and Behavior*, 40 (2), 94-101.

Aleman Farm. (2009). Aleman Farm. Retrieved March 26, 2009 from <http://www.alemanfarm.org/who-we-are/>.

Allen, P. and A. B. Wilson. 2008. Agrifood inequalities: Globalization and localization. *Development* 51 (4). Special issue: The future of agriculture.

American Community Garden Association. (2009). Retrieved February 25, 2009, from What is a community garden: <http://community-garden.org/learn/>

American Community Garden Association. (n.d.). Ten tools every community gardener and garden needs. Retrieved February 28, 2009, from [www.communitygarden.org](http://www.communitygarden.org)

American Horticultural Therapy Association. (2009). American Horticultural Therapy Association. Retrieved on March 16, 2009 from <http://www.ahta.org/index.cfm>.

Armstrong, D. (2000). A survey of community gardens in upstate New York: Implications for health promotion and community development. *Health and Place*, 6 (4), 319-327.

Austin, E. N. (2005). Community gardening in a senior center: A public health initiative. Thesis (M.S.)--State University of New York at Binghamton, Decker School of Nursing, 2005.

Bahnson, F. (2006). COMMENT & REPORTS - Compost for the kingdom - An experiment in gardening. *The Christian Century*. 123 (18), 9.

Barlett, P. (2005). *Urban Place: Reconnecting with the Natural World*. Cambridge, MA: Massachusetts Institute of Technology.

Behavioral Risk Factor Surveillance System (BRFSS) Data Compiled by the Centers For Disease Control 2005 -2007

Broderick, Stanton M. 2008. "Olmstead Parks in Buffalo, New York." Retrieved from <http://www.geocities.com/Heartland/7172/>.

Brown, Katherine H. 2002. *Farming from the City Center To the Urban Fringe*. Venice, CA: Community Food Security Coalition.

Burros, M. (2009, March 19). Obamas to Plant Vegetable Garden at White House. *New York Times*. Retrieved March 19, 2009 from <http://www.nytimes.com>.



Caton Campbell, M. (2004). Building a common table: The role for planning in community food systems. *Journal of Planning Education and Research* , 23 (4), 341-355.

City of Binghamton Zoning Code. (7, August 2006) City of Binghamton. Retrieved March 20, 2009. [http://www.cityofbinghamton.com/library/pages/dept-planning/Zoning%20Ordinance%20\(08.07.06\).pdf](http://www.cityofbinghamton.com/library/pages/dept-planning/Zoning%20Ordinance%20(08.07.06).pdf)

City of Buffalo. (2006). Queen City in the 21st Century: Buffalo's Comprehensive Plan.

City of Buffalo. (2008). The Common Council- City of Buffalo, New York 2008-2009 Annual Action Plan.

City of Buffalo. (2008). Charter and code of the City of Buffalo, New York, Updated 11-15-2008.

Drewnowski, A. (2004). Obesity and the food environment: Dietary energy density and diet costs. *American Journal of Preventive Medicine*, 27(3), 154-162.

The Edible Schoolyard. (2009). The Edible Schoolyard. Retrieved March 26, 2009 from <http://www.edibleschoolyard.org/>.

Egger, M. C. (2007). Cultivating social capital: Community gardens in Lansing, MI. Thesis (M.A.)--Michigan State University. Dept. of Geography, 2007.

Eisenberg, E. (2008). From the ground up: Community gardens in New York City and the politics of spatial transformation. Thesis (Ph. D.) -- City University of New York, 2008.

Fairmount Ventures, Inc. (2000). Managing vacant land in Philadelphia: a key Step toward neighborhood revitalization. Philadelphia, PA: Pennsylvania Horticultural Society Publication. Retrieved February 23, 2009, from Pennsylvania Horticultural Society Website: <http://www.pennsylvaniahorticulturalsociety.org/garden/vacantmanual.html>

Ferris, J., Norman, C., & Sempik, J. (2001). People, Land and Sustainability: Community Gardens and the Social Dimension of Sustainable Development. *Social Policy and Administration*, 35, 559-568.

Glover, T. D., Parry, D. C., & Shinew, K. J. (2005). Building Relationships, Accessing Resources: Mobilizing Social Capital in Community Garden Contexts. *Journal of Leisure Research*. 37 (4), 450.

Haefer, C., Gannon, J., Muchovic, T., Nec, S., & Schrieber, P. (2002). Reclaiming vacant lots: a Philadelphia green guide. Philadelphia, PA: Pennsylvania Horticultural Society Publication. Retrieved February 23, 2009, from Pennsylvania Horticultural Society Website: <http://>





[www.pennsylvaniahorticulturalsociety.org/garden/vacantmanual.html](http://www.pennsylvaniahorticulturalsociety.org/garden/vacantmanual.html)

Horticultural Therapy Institute (not used yet in the paper, but is a good source) <http://www.htinstitute.org/htlinks.htm>.

Hunger Prevention and Nutrition Assistance Program , New York State Department of Health DATA latest available 2005-2006 includes multiple counts.

Hynes, H. Patricia. (1996). *A patch of Eden: America's inner city gardeners*. White River Junction, Vermont: Chelsea Green Publishing Company.

Jarosz L. (2008). The city in the country: Growing alternative food networks in Metropolitan areas. *Journal of Rural Studies*. 24 (3), 231-244.

Karvonen, A. P. (2008). *Botanizing the asphalt: Politics of urban drainage*. Thesis (Ph. D.)--University of Texas at Austin, 2008.

Kaufman, J. L., & Bailkey, M. (2000). *Farming inside cities: Entrepreneurial urban agriculture in the United States* (Lincoln Institute of Land Policy Working Paper). Cambridge, MA: Lincoln Institute of Land Policy. Retrieved from <http://www.queencityfarm.org/FarmingInsideCities.pdf>.

Kirschbaum, P. (2000). *Making Policy in a Crowded World: Steps Beyond the Physical Garden*. [Electronic version]. *Community Greening Review*, Vol. 10, 2-11.

Land Tenure Agreements. (n.d.) North Carolina Cooperative Extension. Retrieved April 19, 2009, <http://www.ces.ncsu.edu/depts/hort/garden/CommunityGarden/BrookeAdamsDiagram.pdf>.

Lau, S., & Yang, F. (2009). Introducing Healing Gardens into a Compact University Campus: Design Natural Space to Create Healthy and Sustainable Campuses. *LANDSCAPE RESEARCH*. 34 (1), 55-81.

Lawson, L. (2005). *City Bountiful*. Berkeley, CA: University of California Press.

Lawson, L. (2004). The Planner in the Garden: A Historical View into the Relationship between Planning and Community Gardens. *JOURNAL OF PLANNING HISTORY*. 3, 151-176.

Lawson, L. (2000). *Urban-Garden Programs in the United States: Values, Resources and Role in Community Development*. University of California, Berkeley.

Lind, Kermit J. "The Perfect Storm: An Eyewitness Report from Ground Zero in Cleveland's Neighborhoods." *Journal of Affordable Housing* 17, no. 3. (Spring 2008): 237-258.



Macias, T. (2008). Working Toward a Just, Equitable, and Local Food System: The Social Impact of Community-Based Agriculture. *Social Science Quarterly*. 89 (5), 1086-1101.

Marcus, F and J. Morse. (2008). "Saving Community Gardens in NYC: Land Trust Organizing." Retrieved from <http://www.urbanhabitat.org/node/1827>.

Massachusetts Avenue Project . (2009). Massachusetts Avenue Project . Retrieved March 7, 2009, from <http://www.mass-ave.org/index.htm>.

Meehan, A. E. (2007). Community in the garden in the community: The development of an open space resource in Boston's South End. Thesis (M.C.P.)--Massachusetts Institute of Technology, Dept. of Urban Studies and Planning, 2007.

Mikolajewski, M. (2002). *Milwaukee Community Gardens: Current Trends and Recommendations*. University of Wisconsin Milwaukee, School of Architecture & Urban Planning.

Norris Square Neighborhood Project. (2007). Las Parcelas. Retrieved March 26, 2009 from <http://www.nsnp.com/parcelas.html>.

N.Y. Agric. & Mkts. Law Section 1-3 (McKinney 2004).

N.Y. Agric. & Mkts. Law Section 31-g to -i (McKinney 2004).

N.Y. Agric. & Mkts. Law Section 259-263 (McKinney 2004 & Supp. 2009).

N.Y. Agric. & Mkts. Law Section 281-285 (McKinney 2004 & Supp. 2009).

N.Y. Agric. & Mkts. Law Section 296-297 (McKinney 2004).

N.Y. Agric. & Mkts. Law Section 300-330 (McKinney 2004 & Supp. 2009).

N.Y. Gen. Mun. Law Section 96 (McKinney 2007).

N.Y. L. 1986, c. 862, section 1-4.

New York State Office of Disability and Temporary Assistance (2008). Temporary and Disability Assistance Statistics: December 2008. Retrieved from <http://www.otda.state.ny.us/main/bdma/2008/2008-12-stats.pdf>.

Orenstien, P. (2004, March 7). Food Fighter. *New York Times*. Retrieved March 19, 2009 from <http://www.nytimes.com>.

Raja, S., Born, B. & Kozlowski Russell, J. (2008). A Planners' Guide to Community and Regional Food Planning: Transforming Food Envi-  
114



ronments, Building Healthy Communities. Planning Advisory Service Report, No. 554. Chicago: American Planning Association.

Raver, Anne. 1992, February 13. "Growing." New York Times. Retrieved from <http://www.nytimes.com/1992/02/13/garden/growing.html>.

Robinson-O'Brien R, Story M, & Heim S. (2009). Impact of garden-based youth nutrition intervention programs: a review. *Journal of the American Dietetic Association*. 109 (2), 273-80.

Schukoske, J. E. (2000). Community development through gardening: State and local policies transforming urban open space. *New York University Journal of Legislation and Public Policy*. 3 (2), 1999-2000.

Schmelzkopf, K. (1995). Urban Community Gardens as Contested Space. *GEOGRAPHICAL REVIEW -NEW YORK-*. 85 (3), 364-381.

Scott-Tunstall, C. N. (2007). The social and empowering effect of community gardens on a Chicago urban area (North Lawndale). Thesis (M.S.)--Southern Illinois University Carbondale, 2007.

Sibley, R. G., & Schneekloth, L. H. (Eds.). (2008). *The Buffalo Olmsted Park System: Plan for the 21st Century*.

Smith, C. M., & Kurtz, H. E. (2003). Community Gardens and Politics of Scale in New York City. *Geographical Review*. 93 (2), 193.

Soroko, J. (2009, February 23). Observations on the greening of Philadelphia. (Electronic version). *The Pennsylvania Lawyer*, September/October 2008), pg. 22-24.

Southwestern University. 2009. "Growing good food." Retrieved from <http://www.southwestern.edu/newsroom/story.php?id=860>.

Springer, C. (2009, February 23). Urban land trusts: connecting communities through shared spaces. (Electronic version). *Land Trust Alliance* (Winter 2006), pg. 14-16.

SUNY-Buffalo. (2003). *Food for growth: A community food system plan for Buffalo's West Side*. Buffalo, NY: University at Buffalo, State University of New York.

Surls, R., Braswell, C., Harris, L., & Savio, Y. (2001). *Community garden start-up guide*. Retrieved February 28, 2009, from University of California, Cooperative Extension Web site: [http://celosangeles.ucdavis.edu/garden/articles/startup\\_guide.html](http://celosangeles.ucdavis.edu/garden/articles/startup_guide.html)

Sydney Food Fairness Alliance. (2009). Sydney Food Fairness Alliance. Retrieved on March 16, 2009 from <http://www.sydneyfoodfairness.org.au/news.html>.

Ten Steps to Starting a Community Garden. (n.d.) American Commu-



nity Gardening Association. Retrieved April 19, 2009, <http://www.communitygarden.org/starting.php>.

Voicu, I., & Been, V. (2008). The Effect of Community Gardens on Neighboring Property Values. *REAL ESTATE ECONOMICS*. 36 (2), 241-283.

United States Department of Agriculture and United States Department of Health and Human Services (2005). *Dietary Guidelines for Americans*. Retrieved from <http://www.health.gov/DietaryGuidelines/dga2005/document/>.

University of Wisconsin 2009 eagle heights

Wheeler, Jacob. (2006, November 22). "Chicago boasts its Growing Power." Retrieved from <http://www.growingpower.org/Chicago%20Boasts.pdf>.

Wiland, H. & Bell, D. (Executive Producers/Producers). (2006). *Edens Lost and Found: Philadelphia "The Holy Experiment" with David Rose*. [Motion picture]. Oregon Public Broadcasting.

Z. Lavatelli (personal communication) February 25, 2009.

Z. Lavatelli (personal communication) February 25, 2009.

Z. Lavatelli (personal communication) March 20, 2009.

Z. Lavatelli (personal communication) March 20, 2009.

# Appendix A:

## New York State Laws

NEW YORK STATE AGRICULTURE AND MARKETS LAW

CHAPTER 69. OF THE CONSOLIDATED LAWS

ARTICLE 2-C. COMMUNITY GARDENS

SECTION 31-g. DEFINITIONS

As used in this article, unless another meaning is clearly indicated:

1. “Community garden” shall mean public or private lands upon which citizens of the state have the opportunity to garden on lands which they do not individually own.
2. “Garden” shall mean a piece of land appropriate for cultivation of herbs, fruits, flowers, or vegetables.
3. “Municipality” shall mean any county, town, village, city, school district or other special district.
4. “Office” shall mean the office of community gardens.
5. “Use” shall mean to avail oneself of or to employ without conveyance of title gardens on vacant public lands by any individual or organization.
6. “Vacant public land” shall mean any land owned by the state or a public corporation including a municipality that is not in use for a public purpose, is otherwise unoccupied, idle or not being actively utilized for a period of at least six months and is suitable for garden use.

CREDIT(S)

(Added L.1986, c. 862, § 2.)

HISTORICAL AND STATUTORY NOTES

2004 Main Volume

Derivation

Executive Law § 848, added L.1978, c. 632, § 2; and repealed by L.1986, c. 862, § 3.

## Former Sections

Former § 31-g. Section L.1927, c. 207, § 16; amended L.1935, c. 16, § 20, related to oath of appraisal and notice of meetings, was repealed by L.1953, c. 658, § 1, eff. Apr. 13, 1953 and is now covered by § 27.

McKinney's Agriculture and Markets Law § 31-g, NY AGRI & MKTS § 31-g

Current through L.2009, c. 2.

Copr (c) 2009 Thomson Reuters.

## SECTION 31-h. OFFICE OF COMMUNITY GARDENS; POWERS; DUTIES

1. The commissioner shall establish within the department an office of community gardens which shall have the authority and responsibility for carrying out the provisions of this article in cooperation with the state department of environmental conservation, the state education department, the department of state, cooperative extensions and other state agencies and municipalities.

2. The duties of the office shall include:

a. Upon request, the office shall assist in the identification of vacant public land within a given geographical location and provide information regarding agency jurisdiction and the relative suitability of such lands for community gardening purposes;

b. Serve as a coordinator on behalf of interested community groups and the appropriate state or local agencies to facilitate the use of vacant public lands for community garden use for not less than one growing season by receiving and forwarding with recommendation completed applications to the appropriate agency;

c. Support and encourage contact between community garden programs already in existence and those programs in the initial stages of development; and

d. Seek and provide such assistance, to the extent funds or grants may become available, for the purposes identified in this article.

## CREDIT(S)

(Added L.1986, c. 862, § 2.)

## HISTORICAL AND STATUTORY NOTES

2004 Main Volume

## Former Sections

Former § 31-h. Section, L.1927, c. 207, § 16; amended L.1935, c. 16, § 20, related to duties of appraisers and reports of the commissioners of appraisal, was repealed by L.1953, c. 658, § 1, eff. Apr. 13, 1953 and is now covered by § 27.

McKinney's Agriculture and Markets Law § 31-h, NY AGRI & MKTS § 31-h

Current through L.2009, c. 2.

Copr (c) 2009 Thomson Reuters.

## SECTION 31-i. USE OF STATE OWNED LAND FOR COMMUNITY GARDENS

1. Any state agency, department, board, public benefit corporation, public authority or commission with title to vacant public land may permit community organizations to use such lands for community gardening purposes. Such use of vacant public land may be conditioned on the community organization possessing liability insurance and accepting liability for injury or damage resulting from use of the vacant public land for community gardening purposes.

2. State agencies which have received an application for use of public lands for community garden purposes shall respond to the applicant within thirty days and make a final determination within one hundred eighty days.

CREDIT(S)

(Added L.1986, c. 862, § 2.)

## HISTORICAL AND STATUTORY NOTES

2004 Main Volume

### Derivation

Executive Law § 848-a, added L.1978, c. 632, § 2; repealed by L.1986, c. 862, § 3.

### Former Sections

Former § 31-i. Section, L.1927, c. 207, § 16; amended L.1935, c. 16, § 20, related to notice of application to confirm report, was repealed by L.1953, c. 658, § 1, eff. Apr. 13, 1953 and is now covered by § 27.

McKinney's Agriculture and Markets Law § 31-i, NY AGRI & MKTS § 31-i

Current through L.2009, c. 2.

Copr (c) 2009 Thomson Reuters.

## CHAPTER 24. OF THE CONSOLIDATED LAWS

### ARTICLE 5. POWERS, LIMITATIONS, AND LIABILITIES

#### SECTION 96. MUNICIPAL COMMUNITY GARDEN ACTIVITIES

1. A municipality is authorized to hold land, however acquired, either in fee or of a lesser interest, or by lease, contract or agreement with the owners and to allow same to be used for community gardening under the terms and conditions established in article thirty-eight of the executive law, as applicable, for such period of time and under such further conditions as may be authorized by local law. Such use of land is a valid exercise of municipal powers. A municipality may encourage individuals, community organizations and groups to use vacant lands and municipal facilities for such period of time and under such conditions as the municipality may determine for use in community garden programs, including but not limited to, a condition that users possess liability insurance and accept liability for injury or damage resulting from use of the vacant public land for community gardening purposes. A fee related to preparation of assigned lots may be charged participants.

2. A municipality may establish a program in conjunction with the cooperative extension or county extension association for ready identification of accessible land resources in the municipality available for such programs. Any community garden program should to the fullest extent practicable be community in scope in order that all interested families and individuals, who reside in the area, be afforded an equal opportunity to use available plots subject to reasonable continuing tenure.

3. A municipal corporation may assist the development of a community garden by contributing, or providing at cost, from resources under the control of the municipality, upon agreement with the user of such land as approved pursuant to the local finance law: initial site preparation, including top soil and grading; water systems; perimeter fencing; storage bins or sheds, and other necessary appurtenances or equipment.

4. At the discretion of the municipality, fertilizer including municipally produced compost, seeds, or tools may be procured in quantity and made available at cost to community groups involved in garden projects. A tool lending facility may be established by the municipality so that gardening tools are available on an equitable rotating basis to all members of the community. Such assistance shall be a valid municipal purpose.

5. For the purposes of carrying out the provisions of this section, a community gardening program may be deemed part of a youth or senior citizen program.

#### CREDIT(S)

(Added L.1978, c. 632, § 3.)

#### HISTORICAL AND STATUTORY NOTES

2007 Main Volume

L.1978, c. 632 legislation



L.1978, c. 632, § 4, eff. 30 days after July 24, 1978, provided:

“The authority found in section ninety-six of the general municipal law repealed by this act shall be deemed to be continued by the new section ninety-six of such law as added by this act [this section] and municipal resolutions adopted pursuant to the repealed section ninety-six shall not be affected by its repeal.”

Former Sections

Former § 96, added L.1946, c. 421, § 1; repealed L.1978, c. 632, § 3, related to municipal community gardens.

McKinney’s General Municipal Law § 96, NY GEN MUN § 96

Current through L.2009, c. 2.

Copr (c) 2009 Thomson Reuters.

## LAWS OF NEW YORK

### 1986 REGULAR SESSION

#### AGRICULTURE AND MARKETS DEPARTMENT - OFFICE OF COMMUNITY GARDENS

#### CHAPTER 862

Approved August 2, 1986, effective April 1, 1987

AN ACT to amend the agriculture and markets law, in relation to establishing an office of community gardens in the department of agriculture and markets and providing certain provisions to facilitate community gardening in the state, and to repeal article thirty-eight of the executive law relating to powers and duties of the cooperative extension at Cornell University for community gardens

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

**SECTION 1. LEGISLATIVE FINDINGS.** The legislature hereby finds that the publicly owned vacant lands in and around population centers are of great value to the community when properly used. Permanent garden sites are a community asset both as attractive open space and as a source of locally produced food.

Gardening serves as a productive use of vacant lands which otherwise untended often become unsightly and unsafe dumping grounds. Open space given to use as community gardens reduces vandalism, engenders a sense of community involvement and increases surrounding property values. In addition, neighborhood gardening offers environmental, educational, recreational and nutritional benefits to the community.

The legislature further finds that many more people in the state would garden if provided access to land and assisted with necessary technical information. The resulting food production would be a substantial cost savings to low-income families and nutritional benefit to all participants.

The people of the state have a right to raise food as an important step to self-reliance and therefore should be encouraged by making public land resources available for such purposes.

It is hereby declared to be the policy of the state to encourage community gardening efforts by providing access to land, offering technical and material assistance to those groups seeking to rehabilitate or better utilize vacant lands by gardening and other greening practices.

# Appendix B:

## Berkeley, California Laws

### BERKELEY, CALIFORNIA

#### CITY OF BERKELEY GENERAL PLAN OF 2002

##### Open Space and Recreation Policy OS-8 Community Gardens

Encourage and support community gardens as important open space resources that build communities and provide a local food source. (Also see Environmental Management Policy EM-34.)

##### Actions:

- A. Encourage neighborhood groups to organize, design, and manage community gardens particularly where space is available that is not suitable for housing, parks, pathways, or recreation facilities. Ensure that garden plots are allocated according to a fair and equitable formula.
- B. Require all publicly subsidized community gardens to maintain regular “open to the public” hours.
- C. Include community gardens in the planning for the Santa Fe Right-of-Way.
- D. Pursue community gardens in high-density areas with little private open space suitable for gardening.
- E. Increase support for community gardens through partnerships with other government agencies, particularly the Berkeley Unified School District, neighborhood groups, businesses, and civic and gardening organizations.
- F. Support school-based gardens and the involvement of youth in growing and preparing their own food.

### CITY OF BERKELEY

#### FOOD AND NUTRITION POLICY OF 2001

##### Purpose

The purpose of the City of Berkeley Food and Nutrition Policy is to help build a more complete local food system based on sustainable regional agriculture that fosters the local economy and assures that all people of Berkeley have access to healthy, affordable, and culturally appropriate food.

##### Responsibilities

The City Council recognizes the opportunity to contribute to the conditions in which optimal personal, environmental, social, and economic health can be achieved through a comprehensive food policy. The City Council also recognizes that the sharing of food is a fundamental human experience; a way of nurturing and celebrating diverse cultures, thereby building community and strengthening inter-generational bonds.

Council will direct City staff, in collaboration with the Berkeley Food Policy Council and other community groups, to take the necessary steps within the resources available to work toward the achievement of the Food and Nutrition Policy goals in: City of Berkeley programs involving the regular preparation and serving of food and snacks in youth centers, senior centers, summer camp programs, City jail, and other similar programs. Food purchased by all City of Berkeley programs and staff for meetings, special events, etc. Other City-funded programs and sites interested in voluntary participation in policy implementation.

City staff from the Chronic Disease Prevention Program in the Public Health Division of the Department of

Health and Human Services will coordinate the implementation of the Food and Nutrition Policy through the following activities: 1) promoting awareness of the policy and information on implementation strategies; 2) providing technical assistance to City programs working on implementation through collaboration with community groups and agencies such as the Food Policy Council; 3) monitoring implementation and reporting on progress; 4) coordinating outreach and education promoting voluntary participation in policy implementation to City residents, non-profit agencies, government agencies, businesses and other groups.

In addition, Council supports the City's role as a model promoter of healthy food and a sustainable and diverse food system and encourages other public agencies, private sector businesses, and non-profit agencies to adopt relevant portions of the policy.

## Goals

1. Ensure that the food served in City programs shall, within the fiscal resources available: be nutritious, fresh, and reflective of Berkeley's cultural diversity be from regionally grown or processed sources to the maximum extent possible be organic (as defined by the United States Department of Agriculture (USDA) National Organic Program regulations) to the maximum extent possible not come from sources that utilize excessive antibiotics, bovine growth hormones, irradiation, or transgenic modification of organisms until such time as the practice is proven to enhance the local food system<sup>1</sup>
2. Utilize a preventive approach to nutrition-related health problems.
3. Improve the availability of food to Berkeley residents in need.
4. Promote urban agriculture throughout the City.
5. Support regional small scale, sustainable agriculture that is environmentally sound, economically viable, socially responsible, and non-exploitative.
6. Strengthen economic and social linkages between urban consumers and regional small-scale farms.
7. Maximize the preservation of regional farmland and crop diversity.
8. Provide community information so residents may make informed choices about food and nutrition and encourage public participation in the development of policies and programs
9. Coordinate with other cities, counties, state and federal government and other sectors on nutrition and food system issues.

## Strategies

### A. Local and Regional Food Systems

1. Purchase fresh food from nearby and regional farms, gardens and food processors as a first priority, when affordable, readily available, and when quality standards are maintained.
2. Purchase prepared or processed foods from nearby, small businesses that procure ingredients from regional organic farmers and food processors to the maximum extent possible.
3. Support cooperatives, bartering, buying clubs, local currencies and other non-traditional payment mechanisms for purchasing regionally and sustainably grown food. While existing research indicates that food grown and processed utilizing these practices may have risks that are at acceptable levels for human consumption and there are some positive consequences of their use, it is the negative social and ecological consequences of the advancement of such technologies that prompt their exclusion in this policy.
4. Join with neighboring "food shed" municipalities, county governments and organizations in the purchase of agricultural conservation easements<sup>2</sup> in neighboring rural communities where feasible.
5. Promote ecologically sound food cultivation in public and private spaces throughout Berkeley.

## B. Equitable Access to Nutritious Food

1. Increase access to affordable fruits, vegetables and healthy foods for all Berkeley residents through support of farmer's markets, community supported agriculture, produce stands and other farm to neighborhood marketing strategies.
2. Promote neighborhood-based food production, processing, warehousing, distribution, and marketing.
3. Improve public transportation that increases access to food shopping, especially in highly transit dependent communities.
4. Assist low-income residents in accessing available emergency and subsidized food sources.
5. Where feasible, make City-owned kitchen facilities available to community-based groups to provide nutrition education and increased access to healthy foods for residents.

## C. Public Policy

1. Advocate for food labeling laws, and request that federal and state representatives support legislation that will clearly label food products that have been irradiated, transgenically modified or have been exposed to bovine growth hormones.
2. Promote the use of the Precautionary Principle in agriculture and food issues to ensure the environment is not degraded and Berkeley residents are not exposed to environmental or health hazards in the production and availability of local foods.<sup>3</sup>
3. Work with media to offset unhealthy eating messages and to promote activities that alter public opinion in ways that will support policy initiatives that promote the public's health.
4. Support state and local initiatives, including research, which provide clear, concise, accurate, culturally appropriate messages about food and healthful eating patterns.
5. Advocate for federal and state programs that increase access to nutritious food for low-income residents.
6. Foster regional food production through support for initiatives that assist nearby farms, gardens, distributors and neighborhood stores.
7. Advocate for local, state and federal actions that support implementation of the City of Berkeley Food and Nutrition Policy.

Purchase of agricultural conservation easement programs compensate property owners for permanently limiting non-agricultural land uses. Selling an easement allows farmers to cash in a percentage of the equity in their land, thus creating a financially competitive alternative to development. After selling an easement, the landowner retains all other rights of ownership, including the right to farm the land, prevent trespass, sell, bequeath or otherwise transfer the land.

In contrast to the Risk Management Principle that weighs hypothetical outcomes and determines hypothetical manageability of risk, the Precautionary Principle states that a practice must be proven to be safe in order to be allowed. Where risk is indeterminable and recall is questionable, as in the case of transgenically modified organisms and genetically engineered seeds and substances, the Precautionary Principle is becoming the standard of choice in policy development.

## D. Public Outreach and Education

1. Conduct outreach to a wide range of stakeholders in the food system through support of regular public events such as festivals of regional food, resource guide on the regional food system, publicizing community supported agriculture (CSA) options, and farmer's markets.

2. Provide training to appropriate City staff on basic nutrition, nutrition education, and the benefits of organic and regional sustainable agriculture.
3. Provide accurate, ongoing, and culturally appropriate nutrition education messages to residents that are tailored to their individual needs and that consider the whole health of individuals, including emotional, mental and environmental health as well as social-well-being.
4. Increase resident skills in consumer literacy, reading labels, analyzing conflicting healthy eating and weight loss messages, meal planning, cooking, and shopping for nutritious foods.
5. Conduct citywide culturally specific social marketing activities promoting nutritious food choices.
6. Increase food system literacy among residents on issues such as the environmental and social impact of synthetic biocides (fungicides, pesticides, and herbicides), large-scale industrial farming, and patenting of life forms.
7. Provide training to residents and community groups in backyard, container, and rooftop gardening techniques.
8. Provide information to residents on the impact of open-air propagation of transgenically modified plants and the use of synthetic biocides.
9. Outreach to neighborhood stores to promote the availability of a variety of fresh, affordable regional and organic produce.

#### E. Berkeley Food Policy Council

1. The Berkeley Food Policy Council, a community group in existence since May, 1999, consisting of a wide range of Berkeley residents and agency providers and open to all interested persons, shall serve in an advisory capacity to the Department of Health and Human Services and City Council on food issues and provide a forum to discuss food-related topics of concern to the community.
2. The Berkeley Food Policy Council shall meet at least six times a year at hours convenient for public participation.
3. The Berkeley Food Policy Council will provide technical assistance to City programs, staff and community groups in the implementation of this Food and Nutrition Policy and subsequent recommendations.

# Appendix C:

## Washington, D.C. Laws

### WASHINGTON DC

□ 48-402. Food production and urban gardens program established [Formerly □ 33-902].

Pursuant to □ 419 of the District of Columbia Comprehensive Plan Act of 1984 [see D.C. Law 5-76, □ 3], the Mayor of the District of Columbia (“Mayor”) shall establish a Food Production and Urban Gardens Program, which shall include, but not be limited to, the following elements:

(1) Collection and maintenance of an up-to-date and comprehensive inventory of vacant lots, listed by categories, including, but not limited to:

(A) Specific location, by address and by advisory neighborhood commission designation;

(B) Size; and

(C) Dates of availability, by voluntary donation and through negotiated agreement, for use in the Food Production and Urban Gardens Program;

(2) Public accessibility to the updated inventory of vacant lots described in paragraph (1) of this section by various means, including, but not limited to, publication of the inventory at least every 3 months in the District of Columbia Register; and

(3) Development, implementation, and promotion of policies that encourage the donation and cultivation of vacant lots for use in the Food Production and Urban Gardens Program, including, but not limited to:

(A) The development of standard agreement forms, to be made readily available for execution by citizens and the owners of vacant lots, which relieve owners of maintenance and insurance responsibilities in exchange for cultivation by citizens of urban gardens on vacant lots;

(B) The inclusion of community gardening projects in the summer employment programs operated by the District of Columbia government;

(C) The provision by the Cooperative Extension Service of the University of the District of Columbia of technical assistance and research in the form of educational materials and programs for citizen gardening and self-help food production efforts;

(D) Coordination with the Board of Education of the District of Columbia, both on the use of suitable portions of buildings and grounds for urban gardens, and on the development of instructional programs in science and gardening that prepare students for related career opportunities such as restaurant produce supply, landscaping, and floral design;

(E) The encouragement of food buying clubs and produce markets throughout the District of Columbia to increase the supply of and demand for urban gardens; and

(F) The development of incentives and community outreach efforts to promote the availability of vacant lots for participation in the Food Production and Urban Gardens Program.





# Appendix D:

## Boston, Massachusetts Laws

### BOSTON REDEVELOPMENT AUTHORITY ZONING CODE

#### ARTICLE 33

#### OPEN SPACE SUBDISTRICTS

SECTION 33-1. Preamble. This article supplements the creation of an open space district (OS) designation, which under Text Amendment No. 101 can be given to public lands or, with the written consent of the owner, to private property. The open space district and nine open space subdistricts, taken together, present a comprehensive means for protecting and conserving open spaces through land use regulations. The open space (OS) designation and an open space subdistrict designation can be used in conjunction with each other, thus establishing for the land so designated the particular restrictions of one of the subdistricts: community garden, parkland, recreation, shoreland, urban wild, waterfront access area, cemetery, urban plaza, or air-right. Land can be given the OS designation, however, without the simultaneous designation of a particular subdistrict, such as “park” or “garden,” where the desired subdistrict designation is yet to be determined. This system instills flexibility into the regulation of open space.

SECTION 33-2. Statement of Purpose. The purposes of this article are to encourage the preservation of open space for community gardens, parkland, recreation, shoreland, urban wild, waterfront access area, cemetery, and urban plaza purposes; to enhance the quality of life of the city’s residents by permanently protecting its open space resources; to distinguish different open space areas in order to provide for uses appropriate to each open space site on the basis of topography, water, flood plain, scenic value, forest cover, urban edge, or unusual geologic features; to prevent the loss of open space to commercial development; to restore Boston’s conservation heritage of Olmsted parks; to coordinate state, regional, and local open space plans; to provide and encourage buffer zones between incompatible land uses and mitigate the effects of noise and air pollution; to promote and maintain the visual identity of separate and distinct districts; to enhance the appearance of neighborhoods through preservation of natural green spaces; and to ensure the provision of adequate natural light and air quality by protecting the supply of vegetation and open space throughout Boston.

SECTION 33-3. Definitions. For the purposes of this article only, the following words and phrases, when capitalized, shall have the meanings indicated.

1. “Applicant” shall mean any person or entity having a legal or equitable interest in a Proposed Project subject to the provisions of this article, or the authorized agent of any such person or entity.
2. “Planning and Zoning Advisory Committee” shall mean any neighborhood- based committee appointed by the Mayor to render advice to neighborhood residents, the Mayor, city departments, and the Boston Redevelopment Authority regarding land use planning and zoning issues.
3. “Neighborhood Council” shall mean any neighborhood-based council established by the Mayor to render advice to neighborhood residents, the Mayor, city departments, and the Boston Redevelopment Authority regarding any municipal issues of neighborhood concern.
4. “Proposed Project” shall mean the erection, extension, or demolition of any structure or part thereof, or the change of use of any structure or land, for which the Applicant is required to obtain a building or use permit.

5. “Public Agency” shall mean the Commonwealth or one or more political subdivision(s) of the Commonwealth, or a department, agency, board, commission, authority, or other instrumentality of the Commonwealth, or of one or more political subdivision(s) of the Commonwealth, or the United States.

6. “Transit Corridor” shall mean any interstate, state, or local highway or rail line which lies below the grade level of abutting parcels of land, not including abutting transit corridors which lie below grade level.

7. “Vacant Public Land” shall mean any land owned by a Public Agency that is not in use for an essential public purpose.

SECTION 33-4. Petitioning for Open Space Subdistricts. Any property owner, or property owner representing a Planning and Zoning Advisory Committee or Neighborhood Council, or the Boston Redevelopment Authority, or the Boston Conservation Commission may petition the Zoning Commission to establish or to substantially change the use of an open space subdistrict within an open space (OS) district.

SECTION 33-5. Establishment of Open Space Subdistrict Categories.

The nine categories of open space subdistricts established in Section 3-1 are: (a) OS-G, Community Garden; (b) OS-P, Parkland; (c) OS-RC, Recreation; (d) OS-UW, Urban Wild; (e) OS-SL, Shoreland; (f) OS-WA, Water-front Access Area; (g) OS-CM, Cemetery; (h) OS-UP, Urban Plaza; and (i) OS-A, Air-Right.

SECTION 33-6. Land Eligible for Open Space Subdistrict Designation. Open space subdistricts may be established by the Zoning Commission only on land within an OS zoning district. An open space subdistrict designation imposes land use restrictions, as provided for in Sections 33-8, 33-9, 33-10, 33-11, 33-12,

33-13, 33-14, 33-15, and 33-16, which augment the basic use restrictions pertaining to OS districts (see Section 8-7). An open space subdistrict may be established on any land contained within one or more open space districts, provided that such land is: (a) owned by a Public Agency, including but not limited to the City of Boston, the Boston Conservation Commission, the Boston Parks and Recreation Department, the Boston Redevelopment Authority, the Boston School Department, the Massachusetts Department of Environmental Quality Engineering, the Massachusetts Port Authority, the Metropolitan District Commission, the Boston Public Facilities Department, the Boston Real Property Department, or the Boston Water and Sewer Commission; or (b) owned by a private person, entity, or conservation trust, such as the Boston Natural Areas Fund, which consents in writing to the establishment of an open space subdistrict on such land.

SECTION 33-7. Minimum Area of Open Space Subdistricts. There shall be no minimum land area requirement for an open space subdistrict.

SECTION 33-8. Community Garden Open Space Subdistricts. Community Garden open space (OS-G) subdistricts shall consist of land appropriate for and limited to the cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity; such land may include Vacant Public Land.

SECTION 33-9. Parkland Open Space Subdistricts. Parkland open space (OS-P) subdistricts shall consist of land appropriate for and limited to passive recreational uses, including walkways, picnic areas, and sitting areas; such land may include Vacant Public Land. No building or structure which exceeds six hundred square feet in land area shall be erected within a Parkland subdistrict, and any structure in such subdistrict is subject to the provisions of Use Item No. 27A of Section 8-7; provided, the Boston Parks and Recreation Department, the Metropolitan District Commission, or the National Park Service may erect in parks that are now or hereafter may be under their control, except the Boston Common, Public Garden, and public squares, structures for the shelter and refreshment of persons frequenting such parks and for other park purposes, of such materials and in such places as in the opinion of the Commissioner of the Boston Fire Department do not endanger buildings or structures beyond the limits of the park.

SECTION 33-10. Recreation Open Space Subdistricts. Recreation open space (OS-RC) subdistricts shall consist of land appropriate for and limited to active or passive recreational uses, including walkways, physical education areas, children's play areas, swimming pools, skating rinks, and sporting areas, or a combination thereof, where such uses are administered by the Boston Parks and Recreation Department, the Metropolitan District Commission, or any nonprofit organization established for the purposes of carrying out the land uses allowed in this article; such land may include Vacant Public Land.

SECTION 33-11. Shoreland Open Space Subdistricts. Shoreland open space (OS-SL) subdistricts shall consist of land appropriate for and limited to that which borders on tidewater or the ocean, including land over which the tide ebbs and flows, or any bank, marsh, beach, dune, swamp, salt meadow, tidal flat, or other low land subject to tidal action or coastal storm flowage. Any Proposed Project in a Shoreland subdistrict shall be limited to the following uses: (a) water-based recreational facilities such as swimming beaches, fishing piers, 97 facilities accessory to the operation of a boating program open to the public, and launching ramps and transient dockage for recreational boats; (b) parks, walkways, children's play areas, or other open spaces for public enjoyment of the waterfront; and (c) facilities or services related to waterborne passenger transportation in excursion boats, ferries, cruise ships, water-taxis, or other similar types of vessels.

SECTION 33-12. Urban Wild Open Space Subdistricts. Urban Wild open space (OS-UW) subdistricts shall consist of land not in the city's park system which includes undeveloped hills, rock outcroppings, quarries, woodlands, meadows, scenic views, inland waters, freshwater wetlands, flood plains, wildlife habitat, or any estuary, creek, river, stream, pond, or lake, or any land under said waters. Urban Wild open space subdistricts shall be limited to conservation and passive recreational uses. Unpaved walkways are allowed in Urban Wild subdistricts.

SECTION 33-13. Waterfront Access Area Open Space Subdistricts. Waterfront Access Area open space (OS-WA) subdistricts shall consist of land which abuts or lies under the waters of the Commonwealth within the jurisdiction of the city. Any Proposed Project in a Waterfront Access Area subdistrict shall be limited to the following uses: (a) water-based recreational facilities such as swimming beaches, fishing piers, facilities accessory to the operation of a boating program open to the public, and launching ramps and transient dockage for recreational boats; (b) parks, walkways, children's play areas, or other open spaces for public enjoyment of the waterfront; and (c) facilities or services related to waterborne passenger transportation in excursion boats, ferries, cruise ships, water-taxis, or other similar types of vessels. Such facilities are subject to the provisions of Use Item No. 27A of Section 8-7.

SECTION 33-14. Cemetery Open Space Subdistricts. Cemetery open space (OS-CM) subdistricts shall be comprised of land appropriate for and limited to the purposes of interment.

SECTION 33-15. Urban Plaza Open Space Subdistricts. Urban Plaza open space (OS-UP) subdistricts shall consist of land appropriate for and limited to passive recreational uses; Urban Plaza subdistricts shall be directly accessible to the public from an adjoining street and may be furnished with benches, chairs, or other seating facilities and contain works of art, plantings, and other features.

SECTION 33-16. Air-Right Open Space Subdistricts. Air-Right open space (OS-A) subdistricts shall consist of land used as Transit Corridors owned by a Public Agency; Air-Right open space subdistrict regulations shall apply only to the development of spaces over such Transit Corridors.

1. No Proposed Project which is not necessary for the operation and maintenance of the Transit Corridor shall be permitted in an Air-Right open space subdistrict unless: (a) the Proposed Project preserves an area of open space equal to at least fifty percent (50%) of the site area of the Proposed Project, provided that such open space is exclusive of land that is paved for parking or loading or used for parking or loading; and (b) the Proposed Project provides open space which has landscaping features and a shape, dimension, character, and location suitable to assure its use for park, recreation, conservation, or garden purposes. The Public Agency or Applicant

shall provide an open space plan which demonstrates compliance with the requirements of this paragraph; such plan shall be subject to the approval of the Boston Conservation Commission.

2. The Boston Conservation Commission shall base its approval of the open space plan required in paragraph 1 above on the Public Agency's provision of a perpetual conservation restriction of the type described in General Laws, Chapter 184, Section 31, as amended, which restriction shall run to or be enforceable by the city and recorded in respect to such open space. Such restriction shall provide that the open space shall be retained in perpetuity for one or more of the following purposes: conservation, garden, recreation, parkland, or any other purpose allowed pursuant to this article. Such restriction shall be in such form and substance as the Boston Conservation Commission prescribes and may contain such additional restrictions on development and use of the open space as the Boston Conservation Commission may deem appropriate pursuant to an agreement executed between the Boston Conservation Commission and the Public Agency.

#### SECTION 33-17. Direct Designation of Open Space Districts.

Notwithstanding any other provision of this article, the Zoning Commission finds the following areas are in compliance with the provisions of this article, and hereby designates the following areas as open space (OS) districts in their present uses.

# Appendix E:

## Rochester, New York Laws

CITY OF ROCHESTER: ROCHESTER 2010 & THE RENAISSANCE PLAN

SUMMARY OF GOALS FOR CAMPAIGN #3

GOALS:

(A): Promote neighborhoods that are safe, clean and attractive, that minimize drug sales and use, loitering, graffiti, public drunkenness, property code violations, incidents of fires and other negative quality of life issues and that ultimately reduce the demand for public safety services.

(B): Create the safest community in NYS in terms of our per capita rate of crime, fires and accidents.

(C): Create a positive perception of our public safety institutions, our community's safety, security and quality of life and create an adequate level of communication and knowledge, among our citizens, about public safety issues and concerns facing our community.

(D): Promote a reduction in the problems and impacts of homelessness, the abuse of drugs and alcohol and unwanted teenage pregnancies through appropriate opportunities to improve individual health, safety and welfare.

(E): Ensure that our public safety system agencies and our citizens adequately listen to and communicate with each other about public safety problems and concerns and collaborative efforts.

(F): Support a quality health care system that is affordable to both employees and employers, as well as the general public.

GOALS AND MATCHING STRATEGIES:

A, B, C, E Identify & engage neighborhood assoc. in the 10 Year Smoke Detector & Battery Giveaway to reduce deaths from fire.

A-F Comprehensive tracking of juvenile fire setters

C, E Establish lines of communication among company officers and neighborhood associations for the purpose of sharing information.

A, B, C, E With the support of an advisory committee of city residents and FD staff, produce a monthly 30-minute fire safety/information video program for the community for airing on channel 12.

A, B, C, E Invite community representatives to help develop ideas for a series of citywide age appropriate videos fire education, injury prev. & control and wellness.

A, B, C, E Develop and distribute a pre-inspection booklet that educates property owners/businesses on correcting violations prior to a visit from a Code Enforcement Officer. A-F Continue the Fire Dept. Open House program in collaboration with health care providers and the sponsorship of Tops Friendly Markets.

A, B, C, D, E Develop/Update Operational Plans for each Patrol Section, seeking input from the business and residential stakeholders serviced in each section

A, B, C, D, E Continue/Enhance CrimeStat process

C, D Continue/enhance Police-Citizen Interaction Committee (PCIC) process at Chief's level, Central Investigation Division, and all Patrol Sections

C, E Continue/enhance the Citizens Police Academy (CPA) Program

A, B, C, D, E Continue/enhance Police and Citizens Together Against Crime (PAC-TAC) Program. Develop PAC-TAC Academy

A, B, C, D, E Develop and distribute new PAC-TAC Manual

A, B, C, D, E Identify and develop additional funding sources to improve PAC-TAC equipment & uniforms

A, B, C, D, E Adopt New PAC-TAC Mission Statement 2000

C, E Convene community forums to discuss issues of community concern in a candid and respectful environment; involve community leaders and members of the clergy in planning and implementation

A, B, C, D, E Assess and revise as necessary the Police Department's values and mission statements to ensure that all employees perform their duties in a fair and equitable manner

A, C, E, F Implement a 311 non-emergency number for Priority 2 and quality of life calls for service

A, B, C, D, E, F Implement differential police response to 311 calls

A, B, C, D, E, F Plan reconfiguration of patrol section and car beat boundaries to balance workload

A, B, C, D, E, F Add 24 School Resource Officers assigned in and around schools

A, D Continue/enhance Downtown Section homeless detail, expand to other sections

A, B, C, D, E Continue participating in: (a) the Monroe County Law Enforcement Council (LEC), and (b) Monroe County Chiefs of Police Association

A, B, D, E Implement a Monroe County Drug Task Force, a joint operation between the Rochester Police Dept and the Monroe County Sheriff's Office to address drug sales and distribution in the Rochester area

A, B, C, D, E Continue/enhance participation in the County police agency crime coordinator's meetings.

A, B, C, E Continue/enhance participating with Monroe Co Office of Emergency Preparedness

A, B, C, E Continue/enhance participation with the New York State Division of Parole in the Targeted Offender

A, B, D ?Improve the quality of search warrant preparation and execution

C Publicize public safety successes in professional journals and publications

A, B, D Pursue seizure of drug buyers' vehicles

A, B, E Pursue inter-agency training opportunities at all levels

A, B, C, D, E Continue to enhance departmental training at the entry (recruit) level and the in-service level

A, B, C, D, E, F Continue youth violence initiatives (including truancy reduction, Operation Cease Fire, Operation Night watch) and other crime prevention efforts aimed at juveniles

A, B, C, D, E, F Continue to improve RPD's information technology systems

A, B, C, D, E, F Continue neighborhood "Project Uplifts" in collaboration with NET and other government agencies and community groups

C, D, E, F Implement a Police Department Web Page on City Website to provide on-line access to public information, statistics, annual report, recruiting information, etc.

C, D, E, F Promote Police Department programs using an RPD speaker's bureau and cable public access channel TV program F Decrease the death from sudden cardiac arrest by 25% by strengthening the chain of survival by 2010.

C, F Stroke awareness, project to help people identify their risks for stroke. Reduce the incidence of death and disability in our community.

A, C, D, E, F, G School-based health centers to cosponsor safety program presentations.

A, C, F Develop a reporting system of old housing stock lead hazards

A, C, E, F Develop large scale lead poisoning education initiative for general public.

G Increase awareness of the “Child Health Plus Program”

A, B, C Data review to determine the highest incident of injury to the members of our community.

B, C, E, F Car seat safety

B, C, E Teens and Trauma

A, B, C, D, E ?Help a neighbor program

D, F Youth and adults will demonstrate an understanding of the relationship between nutrition and maintaining health. Enhance food security in communities

D, F Consumers will adopt safe food handling and preparation practices to reduce the incidence of food borne illness

#### CITY OF ROCHESTER GARDEN PERMIT

1. I/We, the Garden Permit Holder(s) hereby release the City of Rochester, its officers, agents, servants, and employees from any and all damages and claims sustained by reason of the use of said property for a garden, in consideration of the City of Rochester granting the free use of said land for said use.

2. I/We agree to prevent damage to the property and to indemnify and save harmless the said City of Rochester from all loss, cost, damages or expense or resulting directly or indirectly by reason of such occupation by the Garden Permit Holder(s).

3. I/We acknowledge that said permit may be revoked by the City of Rochester at any time, agrees that notice by letter addressed to the address set forth in this Permit shall be sufficient notice of such revocation.

4. I/We agree to use said land solely for a garden, and understand that a separate permit shall be required for special events.

5. I/We understand that Garden Permit authorizes use of the City owned land for the current growing season, which extends from April 1st through November 30th. I/We further understand that the expiration date of the Garden Permit is December 1st, and to continue using the same City owned land from year to year, I/We must take an application to the City for renewal of the Garden Permit on an annual basis.

Gardening guidelines are established to ensure acceptable aesthetic and sanitary conditions for neighboring homes and community.

Community gardens exhibiting 40% weed coverage or grass height more than 5 inches will be contacted for immediate action by the Garden Permit Holder(s). Suggested mowing height is three inches.

Containers, including water bins, and planters, shall not hold standing water unless they are completely covered.

Pesticides shall not be used, including Round-Up, without a current New York State Pesticide License. All New York State Department of Environmental Conservation and Monroe County Laws must be followed.

Composting of vegetative matter is allowed (leaves, plants, wood chips, etc.); composting of meat, human or pet waste is prohibited. A proper composting plan and procedure must be prepared and presented to the

City’s Horticultural Technician before process begins. Contact 428-8820.

All signage must be approved by the Department of Recreation and Youth Services. Permits will be issued for approved signage. Unauthorized signs, or authorized signs that are in poor condition, will be removed by the City. Before digging call for a Utility Stake Out (1-800-962-7962).

Creativity is encouraged, with safety in mind regarding retaining walls, fences, water features, trellis and other garden structures. It is the responsibility of the Garden Permit Holder(s) to follow all applicable City codes and

obtain any necessary permits. All structures must be approved by the City of Rochester before installation. The City reserves the right to remove any of these features if they are deemed hazardous by City staff. An attempt will be made to contact the garden coordinator prior to removal. Before digging call for a Utility Stake Out (1-800-962-7962). All garden structures, such as plant supports, chairs, storage bins, netting and containers, shall be stored out of view when not in use.

Litter and leaf debris must be disposed of properly.

Compost, mulch and cultivating may be available through the Department of Recreation and Youth Services. (Contact 428-8820 Horticultural Technician). Please call at least 2 weeks in advance of your needs to coordinate properly.

Annuals and Bulbs are available through the City's Flower City Looking Good Program. Local Neighborhood Associations and Community Garden organizers can register each spring and fall.

Information at 428-6770

Advice and training sessions on pruning, insects, diseases, plant selection, design layout and other gardening tips are available. Contact 428-8820.

The City does not have the resources to provide watering of community gardens. Please plan accordingly.

In the event that arrangements are made with the Water Bureau for a water supply at this location, it is the responsibility of the permit holder to pay all water bills and associate charges. Failure to make payment will result in revocation of the Garden Permit,

Each community garden must have two or more gardeners to ensure gardening guidelines are followed.

Community gardens in violation of garden guidelines and paragraphs 1-5 may have their Garden Permits revoked.



# Appendix F:

## Austin, Texas Laws

### CHAPTER 8-4. QUALIFIED COMMUNITY GARDEN.

§ 8-4-1 Designation

§ 8-4-2 Application for Designation

§ 8-4-3 Restriction on Location

§ 8-4-4 Annual Renewal

§ 8-4-5 Notices of Termination of Use and Qualification

#### § 8-4-1 DESIGNATION.

(A) The director shall determine whether a cooperative garden may be designated as a qualified community garden.

(B) A qualified community garden under this chapter must be a parcel of land used as a cooperative garden that is platted as a legal lot or exempted under Section 25-4-3 (Temporary Exemption from Platting Requirements).

Source: 1992 Code Section 11-4-1(A); Ord. 031009-11; Ord. 031211-11.

#### § 8-4-2 APPLICATION FOR DESIGNATION.

(A) A non-profit organization incorporated in Texas may apply to have a cooperative garden designated as a qualified community garden.

(B) An organization must file an application with the department on a form approved by the director.

(C) An application filed under this article must include the following documentation:

- (1) Internal Revenue Service documentation of the organization's non-profit tax status;
- (2) the organization's articles of incorporation;
- (3) the organization's bylaws;
- (4) a certified statement that no habitable or permanent structure is located on the property used to be a qualified community garden, including a map or plat of the site documenting the location of any existing structure;
- (5) a certified statement that the organization has:
  - (a) been in operation not less than one year before the date of the application as a cooperative garden, or is sponsored by an organization that has operated as a cooperative garden; and
  - (b) a purpose that includes agriculture, gardening, or economic development;
- (6) the name, address and telephone number of the person who manages the cooperative garden;
- (7) a plan of operation for the qualified community garden, including fees, membership requirements, and business hours;
- (8) a membership list, including the names and addresses of not less than four unrelated persons or families to participate in the qualified community garden;

(9) the organization's current financial statement, audit, or Internal Revenue Service Form 990;

(10) if applicable, a lease or agreement with the owner of the site authorizing use of the site for not less than 12 months from the date of the application, including a legal description of the property; and

(11) certification of the current federal census, if required for qualification under Section 8-4-3 (Restriction on Location).

Source: 1992 Code Sections 11-4-1(A)(1)(a) through (g) and (A)(2); Ord. 031009-11; Ord. 031211-11.

#### § 8-4-3 RESTRICTION ON LOCATION.

The director may designate a cooperative garden as a qualified community garden only if the garden is located on property in:

(1) an area designated by the council for Community Development Block Grant program centralization; or

(2) a census tract in which the current census indicates that not less than 51 percent of the residents are below the federal poverty level.

Source: 1992 Code Section 11-4-1(A)(1)(h); Ord. 031009-11; Ord. 031211-11.

#### § 8-4-4 ANNUAL RENEWAL.

(A) Except as provided in Subsection (B), an organization must file an application with the department annually.

(B) A renewal application filed under this section does not need to include a duplicate copy of the organization's Internal Revenue Service non-profit status certification, articles of incorporation, or bylaws.

(C) The director shall determine an organization's designation as a qualified community garden annually.

Source: 1992 Code Section 11-4-1(B); Ord. 031009-11; Ord. 031211-11.

#### § 8-4-5 NOTICES OF TERMINATION OF USE AND QUALIFICATION.

(A) An organization operating a qualified community garden must notify the department no later than the 30th day before the organization terminates use of a site as a qualified community garden.

(B) If an organization operating a qualified community garden ceases to qualify under this article, the department must notify the Austin Water Utility and the Watershed Protection and Development Review Department that the organization is no longer designated as a qualified community garden.

Source: 1992 Code Sections 11-4-1(C) and (D); Ord. 031009-11; Ord. 031211-11.

#### § 25-4-3 TEMPORARY EXEMPTION FROM PLATTING REQUIREMENTS.

(A) The director may temporarily exempt a parcel of land from the requirement to plat if the director determines that the sole use of the parcel is as a qualified community garden described in Chapter 8-4 (Qualified Community Gardens). An applicant shall provide the director with the information and documentation necessary to establish the exemption.

(B) If the sole use of an exempted parcel changes from a qualified community garden, an exemption under this section expires.

(C) A parcel temporarily exempted under this section must be platted before it may be used for a purpose other than as a qualified community garden.

Source: Section 13-2-402.2; Ord. 990225-70; Ord. 031211-11.

#### § 25-9-99 TEMPORARY TAP PERMITS FOR A COMMUNITY GARDEN.

(A) In this section, qualified community garden has the meaning assigned by Section 8-4-1 (Designation).

(B) A tap permit issued for a qualified community garden is a temporary permit. A tap permit issued for a

community garden remains valid only while the community garden is a qualified community garden.

(C) If a community garden ceases to be a qualified community garden and the lot is exempt under Section 25-4-3 (Temporary Exemption From Platting Requirements), the Water and Wastewater Utility shall remove the tap for the garden.

(D) If a community garden ceases to be a qualified community garden and the lot is a legal lot, the Water and Wastewater Utility shall remove the tap for the garden unless:

- (1) the owner or the user of the lot submits an application for a tap; and
- (2) the director of the Water and Wastewater Utility approves a tap permit.

(E) An applicant under Subsection (D) must pay the fees for each tap for which an application is submitted, including a capital recovery fee.

Source: Section 13-3-6(L); Ord. 990225-70; Ord. 031211-11.



# Appendix G:

## Portland, Oregon Laws

### Title 33, Planning and Zoning 33.920.500 Agriculture

- A. Characteristics. Agriculture includes activities that raise, produce or keep plants or animals.
- B. Accessory uses. Accessory uses include dwellings for proprietors and employees of the use, and animal training.
- C. Examples. Examples include breeding or raising of fowl or other animals; dairy farms; stables; riding academies; kennels or other animal boarding places; farming, truck gardening, forestry, tree farming; and wholesale plant nurseries.
- D. Exceptions.
  1. Processing of animal or plant products, including milk, and feed lots, are classified as Manufacturing and Production.
  2. Livestock auctions are classified as Wholesale Sales.
  3. Plant nurseries that are oriented to retail sales are classified as Retail Sales and Service.
4. When kennels are limited to boarding, with no breeding, the applicant may choose to classify the use as Agriculture or Retail Sales And Service.

### Title 33, Planning and Zoning 33.110.100 Primary Uses

A. Allowed uses. Uses allowed in the single-dwelling zones are listed in Table 110-1 with a “Y”. These uses are allowed if they comply with the development standards and other regulations of this Title. Being listed as an allowed use does not mean that a proposed use will be granted an adjustment or other exception to the regulations of this Title. In addition, a use or development listed in the 200s series of chapters is also subject to the regulations of those chapters.

### Title 33, Planning and Zoning 33.110.020 List of the Single-Dwelling Zones

The Residential Farm/Forest zone is intended to generally be an agricultural zone, but has been named Residential Farm/Forest to allow for ease of reference.

### Title 33, Planning and Zoning 33.510.210 Floor Area and Height Bonus Options

#### C. Bonus floor area options.

4. Rooftop gardens option. In CX, EX, and RX zones outside of the South Waterfront Subdistrict, developments with rooftop gardens receive bonus floor area. For each square foot of rooftop garden area, a bonus of one square foot of additional floor area is earned. To qualify for this bonus option, rooftop gardens must meet all of the following requirements.

- a. The rooftop garden must cover at least 50 percent of the roof area of the building and at least 30 percent of the garden area must contain plants.
- b. The property owner must execute a covenant with the City ensuring continuation and maintenance of the rooftop garden by the property owner. The covenant must comply with the requirements of 33.700.060.



# Appendix H:

## Seattle, Washington Laws

SEATTLE RESOLUTION -28610

Date introduced/referred: September 14, 1992

Date adopted: September 14, 1992

A RESOLUTION declaring the City of Seattle's support for the maintenance and long term expansion of the P-Patch Community Gardening Program.

WHEREAS, the P-Patch Community Gardens have a long history in Seattle, started over 20 years ago, the gardens have grown to 27 citywide sites tended by more than 2,500 gardeners: and

WHEREAS, P-Patch gardens create alternative food sources and contribute as much as 21,000 pounds of free fresh produce to city food banks; and

WHEREAS, P-Patch community gardening contributes to the preservation, access to, and use of open space; and

WHEREAS, the Seattle P-Patch Program has been recognized nationally as a model for urban gardening; and

WHEREAS, the popularity of the gardens continues to grow, especially with increases in housing density within the city; and NOW, THEREFORE, BE IT RESOLVED BY THE

CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, THAT:

I. The City of Seattle will promote inter-agency and intergovernmental cooperation among agencies such as the Parks Department, the Engineering Department, the Housing Authority, the School District, Metro, the Port Authority, the Water Department, City Light, and the Department of Transportation to expand opportunities for community gardening;

II. The City of Seattle recommends that P-Patch gardens be a part of the Comprehensive Plan and that any appropriate ordinances be strengthened to encourage, preserve and protect community gardening particularly in medium and high density residential areas;

III. The City of Seattle will include the P-Patch Program in the evaluation of priority use of city surplus property;

IV. The City of Seattle recognizes the economic, environmental and social value of the gardens and will attempt to provide budgetary support for the management of the PPatch

program; and

V. The City of Seattle encourages that expansion of the P-Patch program and outreach should give special emphasis to low income families and individuals, youth, the elderly, physically challenged, and other special populations.

ADOPTED by the City Council of the City of Seattle the 14th day of September, 1992.

The specific goals for open space are outlined in the chart on the following page.

SEATTLE URBAN VILLAGE OPEN SPACE AND RECREATION FACILITY GOALS

URBAN CENTER VILLAGES HUB URBAN VILLAGES RESIDENTIAL URBAN

VILLAGES URBAN VILLAGE OPEN SPACE POPULATION BASED GOALS One acre of Village Open

Space per 1000 households. For the downtown core one acre of Village Open Space per 10,000 jobs. One acre of Village Open Space per 1000 households. Same as for Hub Urban Villages.

#### URBAN VILLAGE OPEN SPACE DISTRIBUTION GOALS

All locations in the village within approximately 1/8 mile of Village Open Space. Same as for Urban Center Villages For moderate and high density areas: all locations within 1/8 mile of a Village Open Space that is between 1/4 and 1 acre in size, or within 1/4 mile of a Village Open Space that is greater than 1 acre.

**QUALIFYING CRITERIA FOR VILLAGE OPEN SPACE** Dedicated open spaces of at least 10,000 square feet in size, publicly accessible, and usable for recreation and social activities Same as for Urban Center Villages Same as for Urban Center and Hub Villages

**VILLAGE COMMONS GOALS** At least one usable open space of at least one acre in size (Village Commons) with growth target of more than 2500 households. At least one usable open space of at least one acre in size (Village Commons) At least one usable open space of at least one acre in size (Village Commons) where overall residential density is 10 households per gross acre or more.

**RECREATION FACILITY GOALS** One indoor, multiple use recreation facility serving each Urban Center. One facility for indoor assembly One facility for indoor public assembly in Villages with greater than 2000 households.

**COMMUNITY GARDEN GOALS** One dedicated community garden for each 2500 households in the Village with at least one dedicated garden site. Same as for Urban Center Villages Same as for Urban Center and Hub Villages.

Seattle Resolution Number: 31019

Date introduced/referred: October 8, 2007

Date adopted: April 28, 2008

A RESOLUTION establishing goals, creating a policy framework, and identifying planning, analysis and actions for the purpose of strengthening Seattle's food system sustainability and security.

WHEREAS, food and water are sustaining and enduring necessities and are among the basic essentials for life; and

WHEREAS, hunger and food insecurity are important issues that most adversely affect low-income and minority populations; and

WHEREAS, one of the six Community Goals adopted by Seattle, King County, and United Way is "Food to Eat and a Roof Overhead" reflected in Seattle's Comprehensive Plan as "Strive to alleviate the impacts of poverty, low income and conditions that make people, especially children and older adults, vulnerable"; and

WHEREAS, the "food system" is defined as the agents and institutions responsible for production, processing, distribution, access, consumption, and disposal of food (Kaufman 2004); and

WHEREAS, food system activities take up a significant amount of urban and regional land; and

WHEREAS, the food system consumes a major amount of fossil fuel energy, land area, and water in production, processing, transportation, and disposal activities; and WHEREAS, the City recently passed Resolution 30990, a "Zero Waste Strategy" that includes goals and strategies to increase food waste recycling and reduce food waste; and

WHEREAS, as of 2004, 29.9% of Seattle's commercial waste is food, 33.0% of Seattle's residential waste is food, and 24.9% of Seattle's overall solid waste is food; and



WHEREAS, food losses as a percentage of each sector’s solid waste streams were as follows: Hotel/Motels 46.9%, Retail 35.2%, Education 32.9% and Health Care 22.7%; and

WHEREAS, maintaining and improving the security of our local food supply is essential to local emergency preparedness and local self- reliance; and

WHEREAS, the food system represents an important part of community and regional economies; and

WHEREAS, according to research conducted by Sustainable Seattle, the returns to our local economy for each dollar spent at local, community-based restaurants, farmers markets and grocers is more than two times greater than the usual impact of spending at restaurants and grocers; and

WHEREAS, the second leading cause of premature death among United States adults is chronic disease, for example heart disease, stroke and hypertension, linked to diet and low physical activity; and

WHEREAS, obesity and associated costs and diet-related diseases significantly impact the health of Seattle residents, and

WHEREAS, improving our local, regional, and statewide food systems advances the Seattle Comprehensive Plan goals of economic opportunity, environmental stewardship, community, and social justice; and

WHEREAS, there are significant community-building benefits to community gardening and community kitchens; and

WHEREAS, the Seattle-King County Acting Food Policy Council (AFPC) has been working to develop recommendations for improvements to our food system sustainability and security, and the City acknowledges and appreciates the work of AFPC members, Washington State University King County Extension, the Washington State Agriculture Commission, the University of Washington Program on the Environment and Department of Urban Design and Planning, the Seattle Department of Neighborhoods, Public Health Seattle-King County, and the Seattle Interdepartmental Team working on food policy issues; and

WHEREAS, the American Planning Association Board of Directors adopted on April 15, 2007 a Policy Guide on Community and Regional Food Planning recommending the inclusion of food policies in local and regional plans and the American Public Health Association adopted a policy on November 6, 2007 entitled “Toward a Healthy, Sustainable Food System”, recommending a food system approach as key to better human health and environmental quality; and

WHEREAS, approximately 82 cities and regions have established Food Policy Councils; NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR

CONCURRING, THAT:

Section 1. Goals. These goals are meant to provide guidance for analysis, program development, policy development and actions related to Seattle and the region’s food system sustainability and security. The overall intent of this local food action initiative is to improve our local food system and in doing so, advance the City’s interrelated goals of race and social justice, environmental sustainability, economic development, public health and emergency preparedness. These goals include:

- a. Strengthen community and regional food systems by linking food production, processing, distribution, consumption, and waste management to facilitate, to the extent possible, reliance on our region’s food resources.
- b. Assess and mitigate the negative environmental and ecological effects relating to food system activities.
- c. Support food system activities that encourage the use of local and renewable energy resources and minimize energy use and waste including:

\* Reducing food in our waste stream,

\* Discouraging or restricting excessive and environmentally inappropriate food packaging at all levels of the food system (production, wholesale, retail and consumer), and

\* Reducing the embedded and distributed climate impacts of Seattle's food system.

d. Stimulate demand for healthy foods, especially in low-income communities, through collaboration with community-based organizations and institutions.

e. Increase access for all of Seattle's residents to healthy and local foods through:

\* Increasing the opportunities for Seattle residents to purchase and grow healthy food in the city,

\* Disseminating of food preparation and preservation knowledge through educational and community kitchen programs,

\* Supporting new opportunities for distribution of locally and regionally produced food,

\* Addressing disparities in access to healthy foods in inadequately served populations and neighborhoods,

\* Supporting increased recovery of surplus edible food from businesses and institutions for distribution to food banks and meal programs,

\* Addressing the needs of vulnerable populations, such as children, people living with disabilities and seniors to accessing adequate, healthy food, and

\* Increasing the amount of fresh fruits, vegetables, dairy and meat in the food support system, including food banks and meal programs.

f. Integrate food system policies and planning into City land use, transportation and urban activities.

g. Develop and enhance partnerships within the City, as well as regionally, to research and promote local solutions to food issues.

h. Establish a strong interdepartmental focus among City departments on programs and policies affecting food system sustainability and security.

i. Support procurement policies that favor local and regional food sourcing.

j. Enhance emergency preparedness related to food access and distribution including working toward the goal of establishing regional capacity for feeding the population for 2-3 months in an emergency.

Section 2. Framework. This resolution provides the framework for actions that the City intends to develop and implement to promote local food system sustainability and security. These actions include:

a. The Department of Neighborhoods (DON) in cooperation with the Food System Enhancement Interdepartmental Team (IDT), the Acting Food Policy Council, community-based agencies and other interest groups, is requested to develop a Food Policy Action Plan (Plan). As part of this plan, the IDT is requested to analyze vulnerabilities and disproportionalities by mapping the distribution of fast food restaurants and access to healthy food against demographic variables like age, income, and race. By January 1, 2009, DON with the IDT is requested to transmit a draft plan to Council for review. This plan should, at a minimum, identify ways to structure the City's focus on food system sustainability and security including recommendations for:

\* Strengthening the city's programs and policies that support the goals stated in Section 1;

\* Promoting and improving direct connections between farmers in the region and State with urban consumers, such as community supported agriculture, agro-food tourism, connections to major institutions including hospitals, schools, and jails, and connections that foster niche markets for local specialties;

\* Increasing access for all of Seattle's residents particularly children, people living with disabilities, seniors, and other vulnerable populations, to healthy, culturally appropriate, and local and regional food;

\* Increasing the diversity of locally produced foods to more completely satisfy our resident's nutritional needs;

\* Identifying opportunities for community involvement especially by minorities and immigrants;

\* Identifying opportunities for partnerships with local organizations that further the goals stated in Section 1;

\* Identifying strategies to encourage educational and health care institutions, community-based organizations, businesses, religious, and other consumers and providers of food to the public to promote healthy choices and food produced locally and regionally;

\* Decreasing environmental impacts of the food system;

\* Developing procurement policies that favor the sourcing of local and regional foods.

b. The Office of Economic Development (OED) is requested to assess citywide policies that promote local farmer's markets and market gardens and to work with appropriate departments to identify permanent locations for existing farmer's markets. OED is requested to consider recognizing Food and Beverage as a key industry sector. By October 1, 2009, OED is requested to submit a report with recommendations for any new or revised policies that strengthen our local farmer's markets and market gardens. The report should include proposals for permanent locations of farmer's markets and also include any proposed legislation to Council for its consideration.

c. The Office of Economic Development (OED) is requested to work with appropriate departments to assess city purchasing and procurement policies and to identify policy and procedure changes that would strengthen the city's support of the local food economy, in particular, by supporting local buying and selling. By January 1, 2009, OED is requested to submit a report with recommendations for any new or revised policies or procedures that would strengthen city support for the local food economy, in particular, locally directed buying and selling.

d. The Department of Neighborhoods (DON) is requested to identify additional locations and infrastructure for community gardens, food bank gardens, and community kitchens that would strengthen our community garden program, maximize accessibility for all neighborhoods and communities, especially low-income and minority residents, and provide gardens to underserved neighborhoods and food banks. DON is requested to explore with the Seattle School District ways to partner community gardens with local schools. DON is requested to work with Seattle Public Utilities, Seattle City Light and other relevant departments and universities to conduct an inventory of public lands in Seattle appropriate for urban agriculture uses. DON is requested to work with the Department of Parks and Recreation (DPR) to inventory established community kitchens at DPR facilities, and to identify facilities where new community kitchens could be accommodated. By January 1, 2009, DON is requested to submit a proposed process and outline for a new P-Patch Strategic Plan that includes public involvement and a timetable for Council consideration, and recommendations for community gardens, food bank gardens, community kitchens and the results of the inventory of public lands.

e. The Department of Planning and Development (DPD) is requested to review land use code provisions to ensure that the inclusion of small and mid-size grocery stores (e.g. 3,000 to 20,000 square feet) in neighborhood commercial and commercial zones is encouraged and review the land use code to identify codes that support or conflict with the goal of potential future development of urban agriculture and market gardening. DPD is also requested to analyze the potential of developing new standards or incentive programs that encourages incorporating food gardens into multi-family developments. By January 1, 2009, DPD is requested to transmit a report with analysis, recommendations and identification of policies that would further support local and regional food system sustainability and security goals as stated in Section 1.

f. The Seattle Department of Transportation (SDOT) is requested to include, as criteria in evaluating transportation projects, safe and convenient pedestrian, bicycle, and transit connections between residential neighborhoods and community gardens, food banks, food markets, and farmer's markets.

g. The Office of Emergency Management, in cooperation with other relevant departments, is requested to review the City's Disaster Readiness and Response Plan and evaluate whether improvements can be made to improve food system security, and to assure that appropriate agreements and partnerships are in place for food accessibility and distribution in the event of a disaster. Priority in agreements and policies should be given to contracts that promote local and regional food producers and local sources, where feasible. The Office of Emergency Management, in cooperation with SDOT, is also requested to evaluate and prioritize emergency planning

transportation access to emergency food supplies including warehouses and distribution routes throughout the city.

h. The Office of Sustainability and Environment (OSE), in cooperation with relevant departments, is requested to develop a scope of work related to food system sustainability and security to identify potential green house gas reduction opportunities related to the local food system in which the City could participate, and identify policies that support the goals in Section 1. By January 1, 2009, OSE is requested to transmit this scope of work to Council for consideration.

i. Seattle Public Utilities (SPU) is requested to support increased diversion of surplus edible food from the commercial waste stream in addition to recycling food waste for compost. In cooperation with the Human Services Department, SPU is requested to continue providing grants to increase the infrastructure capacity of food banks and meal programs in order to allow them to accept more donations of perishable foods and therefore further decrease food waste. As part of the grant process, and in cooperation with the Office of Emergency Management, SPU is requested to expand the Seattle Hunger Map to include information on food banks and meal programs that can serve their neighborhoods during emergency situations.

j. The Human Services Department (HSD) is requested to work with the food support system and distributor partners to identify opportunities to increase fresh and locally and regionally produced foods in the food support system. HSD is encouraged to utilize the City's Health Initiative to further the goals outlined in Section 1.

Section 3. The City supports the formation of a Food Policy Council (FPC) and commits the City to participate in the FPC. Because food policy issues transcend City boundaries the City indicates its preference that, at a minimum, a Food Policy Council will be regional in scope and membership and have a strong link to state and Pacific Northwest food policy organizations.

Section 4. The City requests that King County, the Puget Sound Regional Council, and the Growth Management Planning Council of King County recognize the important role of food policy in regional and county-wide planning, and to take steps to initiate policy development for their respective bodies around this issue.

Section 5. The City requests Public Health Seattle-King County to support the work of other Departments, agencies, and organizations by providing information and public health expertise related to food systems.

Section 6. The City supports the development of a partnership with universities to assist us in the development of the Food Action Plan and other policy and technical analysis that contributes to meeting our goals.

Section 7. The City calls upon the State Department of Agriculture to increase its role in working towards a state food policy consonant with the goals in Section 1.

Section 8. The City directs its federal lobbyists to take an active role in advocacy for a Farm Bill that reflects and supports the goals expressed in this resolution.

Seattle Resolution Number: 30990

Date introduced/referred: June 25, 2007

Date adopted: July 16, 2007

A RESOLUTION establishing new recycling goals for the City of Seattle and providing direction on waste-reduction programs and solid waste facilities.

WHEREAS, Resolution 27871 adopted the City of Seattle's ("City's") 1988 Integrated Solid Waste Management Plan which established a goal of recycling 60% of the waste produced within the city; and

WHEREAS, the City's 1998 and 2004 Solid Waste Plans, adopted by Resolutions 29805 and 30750, respectively, reaffirmed the 60% recycling goal; and

WHEREAS, the substantial recycling progress to date has been slower than expected causing the timeframe for reaching the 60% recycling goal to be incrementally lengthened from 1998 to 2010; and

WHEREAS, the City Council and Mayor seek to further reduce disposed waste so that the City can more quickly meet and exceed its 60% recycling goal and build more efficient waste facilities; and

WHEREAS, to address future recycling and waste disposal needs, the City Council and Mayor adopted Resolution 30431 directing Seattle Public Utilities (“SPU”) to prepare a Solid Waste Facilities Master Plan (“Master Plan”); and

WHEREAS, the Master Plan, completed in 2004, recommended rebuilding the City’s two transfer stations and constructing a new intermodal facility in south Seattle; and

WHEREAS, to further validate the City’s waste-reduction and facility approaches, the City Council and Mayor requested that an independent consultant conduct a review of SPU’s recycling efforts and facilities proposals. That review resulted in the April 2007 Seattle Solid Waste Recycling, Waste Reduction, and Facilities Opportunities report (“Zero-Waste Report”), which identified new recycling actions and facility efficiencies through which the City might reach 72% recycling by 2025; and

WHEREAS, the City Council and Mayor seek to expand recycling and move forward with facility upgrades by applying zero-waste principles to the City’s management of solid waste; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, THAT:

Section 1. Goals. The City establishes the following goals for recycling and waste reduction.

- A. The City will recycle 60% of the waste produced within the city by 2012, and 70% of the waste produced within the city by 2025.
- B. The City will not dispose of any more total solid waste in future years than went to the landfill in 2006 (438,000 tons of municipal solid waste (“MSW”).
- C. For the next five years, the City will reduce the amount of solid waste disposed by at least 1% per year (2008-2012).
- D. Future waste-reduction goals for the period 2013-2028 (the term of the long-haul disposal contract) will be set based on the experience of the first five years, with the aspiration of achieving a steady reduction in the amount of waste disposed each year.

Section 2. Waste-Reduction Strategies. The action strategies adopted to achieve City goals shall apply zero-waste principles. Zero-waste principles entail managing resources instead of waste; conserving natural resources through waste prevention and recycling; turning discarded resources into jobs and new products instead of trash; promoting products and materials that are durable and recyclable; and discouraging products and materials that can only become trash after their use. Action strategies should include elements that:

- A. Actively encourage and support a system where producers minimize waste during product design and take responsibility for the reuse or recycling of used products;
- B. Promote the highest and best use of recycled materials;
- C. Minimize the environmental impacts of disposed waste; and
- D. Implement actions in a sequence that: 1) starts by simultaneously offering any new recycling service for customers to use on a voluntary basis, implementing incentives to encourage participation, and pursuing product stewardship approaches to avoid waste or remove waste from the City waste stream and 2) as a second step consider prohibiting disposal of the targeted materials as garbage in order to ensure full participation of all customers.

Section 3. Waste-Reduction Actions. SPU shall propose specific waste-reduction actions, consistent with the strategies described above, to achieve City recycling goals as part of future rate proposals, budgets, and solid waste plan updates. The proposed rates and budgets for 2008, 2009, and 2010 shall include, at minimum, the ac-

tions in Attachment A. Additional actions (similar to those in the Zero-Waste Report) shall be proposed as part of future rates, budgets, and solid waste plans as needed to meet City goals.

Section 4. Facility Actions. To help reach City waste-reduction goals and efficiently manage current and future solid waste, the following actions shall be taken to upgrade City facilities.

A. The South and North Recycling and Disposal Stations (“SRDS” and “NRDS”) will be designed to accommodate expanded recycling, a retail re-use facility, and self-haul waste and collection trucks in roughly the same proportions that they now experience, but with design elements for self-haul tonnages to be below current levels. While there may continue to be, on an operational basis, some use of private transfer stations, NRDS and SRDS will be designed to handle the City’s MSW.

B. To the extent that the recycling and disposal stations experience decreases in total tonnages of waste disposed, the City will explore the possibility of adding additional waste-reduction and recycling programs, and the stations will be designed to facilitate conversion of space dedicated to disposal to waste reduction and recycling.

C. The City will purchase additional properties for the development of the new SRDS.

Section 5. Reporting. SPU will report to Council by July 1 of each year on the previous year’s progress toward recycling goals, as well as further steps to be taken to meet goals in the current and upcoming years. Each annual report shall contain the comments of the Solid Waste Advisory Committee.

Seattle Municipal Code 3.35.080 Leases and agreements authorized.

The Director of Neighborhoods (Director) is authorized, for and on behalf of The City of Seattle as lessee, to enter into, renew, modify and administer leases and agreements to lease any property within The City of Seattle for use as P-Patch community gardens or for similar open space use. Such leases shall be on such terms and for such periods, not to exceed five (5) years (exclusive of renewals at the

City’s option), as the Director may find prudent or as may be required by fund sources, provided that unless otherwise authorized by ordinance the combination of all such leases and agreements shall not commit the City to aggregate payments in any year in excess of Two Thousand Dollars (\$2,000). The Director is further authorized to negotiate, accept, execute, record, administer, and enforce, for and on behalf of the City, easements, covenants, or other agreements from property owners and lessees, committing the use of land for P-Patch purposes for specified periods or in perpetuity, provided that without express City Council approval such agreements shall not impose material obligations on the City with respect to the property beyond those for which funds shall have been appropriated at the time of such acceptance.

Seattle Municipal Code 3.35.060 Garden plot fee schedule; permits.

A. To partially offset the costs of the P-Patch program, the Director of the Department of Neighborhoods (“Director”) is authorized to establish and collect fees for applications for, and for the use of, P-Patch garden plots and to grant revocable permits for such use. Fees shall include an application fee and a permit fee. The permit fee shall vary in accordance with the size of garden plot used by the program participant and shall generally be based on a standard unit of one hundred square feet. Beginning January 1, 2005, the base application fee shall be Twenty-one Dollars (\$21) per year for any size plot, and the base permit fee shall be Ten Dollars (\$10) per year for each standard unit or any part of a standard unit. These base fees shall be subject to adjustments as authorized in subsections B, C and D of this section. The Director may waive fees and allow reductions from base fees as authorized in subsections E and F of this section.

B. The Director shall adjust the base fees every two (2) years approximately in proportion to the change in the Consumer Price Index, All Urban Consumers, published by the federal government, or a substitute or successor index selected by the Director. The next such adjustment shall take effect January 1, 2007.

C. The Director also may increase base fees for any year to reflect actual or expected increases in operating costs, including but not limited to water, lease fees, or equipment maintenance, provided that neither the base

application fee nor the base permit fee for a standard unit shall vary by more than five per cent (5%) from the respective fee that would apply under subsections A and B of this section.

D. The Director may establish reduced base application fees or base permit fees, or both, for plots substantially smaller than a standard unit, including accessible raised beds, so long as the total base fees per square foot are no less than an amount generally consistent with the total base fees per square foot for the standard unit.

E. The Director may accept a reduced permit fee from a participant who is given access to a plot after a significant portion of the growing season has expired, prorated to reflect the number of months remaining in the growing season.

F. The Director may waive application fees or permit fees, or both, or set reduced fees, for plots used by low-income persons, and for organizations using plots dedicated to food bank gardening, otherwise operated to benefit low-income persons, or dedicated to educational purposes. If the Director the Director shall adopt policies regarding the income levels eligible for waivers or reduced fees, the types of organizations and programs eligible for such waivers or reductions, and conditions of eligibility, consistent with the intended public purposes for such waivers and reductions. The Director may limit the amount of area for which specified waivers or reductions may be allowed in order to prevent undue impacts on the revenues of the program.





# Appendix I:

## Community Visioning Agenda



**Community Outreach Meeting**  
**Thursday, March 19, 2009**  
**Buffalo Museum of Science**

**5:30 – 5:40**

*Dr. Samina Raja, University at Buffalo*  
*Kirk Laubenstein, GrassRoots Gardens of Buffalo*

**Introduction**

**5:40 – 6:00**

*Group discussion and responses to three questions regarding neighborhood characteristics*

**Large Group Discussion**

- **Question #1:** In one word, what is your vision for your neighborhood?
- **Question #2:** What do you like about the outdoor environment in your neighborhood?
- **Question #3:** What would you change about the outdoor environment in your neighborhood?

**6:00 – 6:25**

*Small group brainstorming and discussion; provide a group definition of community gardens to present to large group*

**Small Group Break Out Sessions**

- **Question #4:** How do you define community garden?
  - 6:00 – 6:15: Brainstorming
  - 6:15 – 6:25: Group definition of community gardens & ideas for successful community gardens in Buffalo

**6:25 – 6:50**

- 6:25 – 6:35: Small groups present definitions and ideas
- 6:35 – 6:50: Large group comments

**Small Group Presentations**

**6:50 – 7:00**

**Closing**



# Appendix J:

## Grassroots Gardens Application



### APPLICATION FOR PROSPECTIVE GARDENERS

Name of Organization \_\_\_\_\_

Name of Organization Director \_\_\_\_\_

Address of Director \_\_\_\_\_

Phone Number \_\_\_\_\_

Name of Second Contact Person \_\_\_\_\_

Phone Number \_\_\_\_\_

How long has your organization been in existence? \_\_\_\_\_

How many volunteers/members are in your organization? \_\_\_\_\_

Is your organization registered with the IRS as an official 501c(3) nonprofit? Yes \_\_\_\_\_ No \_\_\_\_\_

How does a Community Garden fit with your organization? \_\_\_\_\_

---

How many volunteers are willing to commit to the laborious tasks associated with maintaining a community garden? \_\_\_\_\_

List sources of funding, in-kind services, supplies, etc. that your organization can put towards creating and maintaining a garden: \_\_\_\_\_

---

Are there any other organizations you have formed or can form partnerships with to help with the establishment and upkeep of the community garden? If so, please list them.

---

What is the address of the site for the proposed garden?  
\_\_\_\_\_

Do you know who owns it? If so, who? \_\_\_\_\_

How close is the lot to your organization's office or to members' homes?

---

What is the approximate size and location of the lot? (on a corner, between two houses, etc.)

---

Has a landscape plan been developed by your organization for usage? If so, attach a sketch, photos, etc.

---

Has your organization cleaned the rubbish, weeds, etc. off of the site? \_\_\_\_\_

---

What will be the source of water?

---

Where is the nearest fire hydrant? Name street address: \_\_\_\_\_

Return to:



**GRASSROOTS GARDENS OF BUFFALO  
P.O. BOX 351  
BUFFALO, NEW YORK 14201-0351**

**716/851-4647**

**[grgbuffalo@hotmail.com](mailto:grgbuffalo@hotmail.com)**

## ■ 10 STEPS TO STARTING A COMMUNITY GARDEN

Interested in starting a community garden? First, you should know that a community garden requires significant investment of time, helping hands, and resources. Before you get started, here are some additional important steps and considerations:

### 1. ORGANIZE A MEETING OF INTERESTED PEOPLE

Determine whether a garden is *really needed and wanted*. Invite neighbors, tenants, community organization gardening and horticultural societies, building superintendents (if it is at an apartment building) – in other words, anyone who is likely to be interested. Hold a couple of meetings before you apply to carefully consider who will be involved and who will benefit.

### 2. FORM A PLANNING COMMITTEE

This group can be comprised of people who feel committed to the creation of the garden and have time to devote to it. Choose well-organized persons as garden coordinators. Form committees to tackle specific task funding and partnerships, youth activities, construction and communication. Decide what kind of garden it should be (vegetable, flower, both, organic?).

### 3. IDENTIFY ALL YOUR RESOURCES

Do a community asset assessment. What skills and resources already exist in the community that can aid in the garden's creation? Contact municipal offices about possible sites, as well as other local sources of information and assistance. Grassroots Gardens are on city-owned vacant property. If the lot you want to garden on is privately owned, please contact the owner directly for permission.

### 4. APPROACH A SPONSOR

Besides *Grassroots Gardens of Buffalo*, churches, schools and private businesses are all possible supporters. Consider membership dues or rental agreements with prospective gardeners.

### 5. CHOOSE A SITE

Consider the amount of daily sunshine (vegetables need at least six hours a day), availability of water and soil testing for possible pollutants. Find out who owns the land. Can the gardeners get a lease agreement for at least five years? Will liability insurance be necessary?

### 6. PREPARE AND DEVELOP THE SITE

In most cases, the land will need considerable preparation for planting. Organize volunteer work crews to do it, gather materials and decide on the design and plot arrangement.

### 7. ORGANIZE THE GARDEN

Members must decide how many plots are available and how they will be assigned. Allow space for storing tools, making compost and don't forget the pathways between plots! Plant flowers or shrubs around the garden's edges to promote good will with non-gardening neighbors and passers-by.

### **8. PLAN FOR CHILDREN**

Consider creating a special garden just for kids – including them is essential. Children are not as interested in the size of the harvest but rather in the process of gardening. A separate area set aside for them allows them to explore the garden at their own speed.

### **9. DETERMINE RULES AND PUT THEM IN WRITING**

Ground rules help gardeners to know what is expected of them, and the gardeners themselves devise the ground rules. Some issues that are best dealt with by agreed upon rules are: Will your garden charge dues? How will dues be used? How are plots assigned? Will gardeners share tools, meet regularly, handle basic maintenance? As you meet with your garden group, many other issues will arise and it's important they be dealt with efficiently and well to ensure the garden's success.

### **10. HELP MEMBERS KEEP IN TOUCH WITH EACH OTHER**

Good communication ensures a strong community garden with active participation by all. Some ways to do this are: form a telephone tree, create an e-mail list, have regular celebrations. Community gardens are all about creating and strengthening communities!

## **TEN TOOLS EVERY COMMUNITY GARDEN NEEDS**

- 1. TROWEL** – A well-made trowel is your most important tool – a trowel helps you get your plants into the soil. Essential for everyone.
- 2. HAND FORK OR CLAW OR CULTIVATOR** – A hand fork helps cultivate soil, chop up clumps, or work amendments into the soil. Necessary for cultivating in closely planted beds.
- 3. HOE** – A long-handled hoe is a gardener's best friend. Used for cultivating and digging out weeds.
- 4. HAND PRUNERS** – To trim, prune, shape, and clean up.
- 5. WATERING CAN** – Use to deliver a fine, even stream of water that will not wash sprouting seeds or seedlings out of the soil.
- 6. GARDEN FORK** – For digging and dividing.
- 7. SHOVELS & SPADES** – A requisite tool for breaking ground, moving soil, planting perennials, shrubs and trees. The sharper the blade, the better.
- 8. WHEELBARROW** – Indispensable for hauling.
- 9. GLOVES** – To keep those green thumbs clean.
- 10. HOSE** – For heavy duty watering.



## **GRASSROOTS GARDENS ASSISTANCE**

### **GRASSROOTS GARDENS WILL DO THE FOLLOWING:**

1. If lot is city-owned, GGB will arrange to lease property from the city and provide liability insurance.
2. Secure permission from the city to utilize fire hydrants for watering gardens.
3. Provide plants and seeds to help new gardens become established and continue to do so subject to available resources. Topsoil, mulch, fertilizer, construction materials, and any soil amendments will be provided as needed the first year.
4. Provide technical assistance and instruction:
  - Gardening education classes
  - Soil testing
  - Gardening methods and maintenance
5. Assist with site design.



### **SUGGESTED CONTRACT FOR COMMUNITY GARDEN PARTICIPANTS**

1. **Gardeners and/or representatives will attend orientation and training sessions.**
2. **Gardeners must be fully aware that they work on-site at their own risk. Grassroots Gardens, community groups, city agencies, private businesses, etc. take NO responsibility or liability for person injury, damage to property, or loss of property due to theft.**
3. **Garden sites will be assigned as equitably as possible.**
4. **Garden sites will have on-site working hours as determined. No one should be on the sites after sundown.**
5. **No plot may be cultivated until contract is signed and project fee (if required) is paid.**
6. **The last person on the site each day shall be responsible for locking the gate, turning off the water, securing tools.**
7. **Each gardener will be considerate of his/her neighbor's plot by not planting tall plants that may interfere with other gardens, maintaining pathways surrounding plots and not impeding access to other plots.**
8. **Dogs, cats and other pets are prohibited.**
9. **Produce from the garden is for family, not commercial use.**
10. **Gardeners will have a month from the garden's opening date to begin work, after which time unworked plots will be reassigned.**
11. **Any plot left unattended for 15 days will be reassigned – with NO REFUND.**
13. **Use all equipment and tools with due diligence and safety.**
12. **A gardener, on vacation, or absent and unable to attend to his/her garden, will arrange to have someone maintain his/her plot.**
13. **Only agreed upon plants and seeds may be cultivated – ILLEGAL PLANTS ARE PROHIBITED.**
14. **Every effort should be made to adhere to these guidelines as failure to do so can and will result in loss of gardening privileges.**

**I HAVE READ THE ABOVE RULES AND REGULATIONS IN ITS ENTIRETY AND UNDERSTAND AND AGREE TO ALL THE TERMS IN THIS CONTRACT.**

**SIGNATURE:** \_\_\_\_\_ **DATE** \_\_\_\_\_



# Appendix K: Community Garden Lease

*- Kincaid  
Pam G  
10/28/06*

## LEASE RENEWAL/AMENDMENT AGREEMENT

MADE THIS 17 day of ~~December, 2006~~ <sup>FEB. 2007</sup>, by and between

THE CITY OF BUFFALO, a domestic municipal corporation, having its principal place of business in City Hall, No. 65 Niagara Square, in the City of Buffalo, County of Erie and State of New York (hereinafter referred to as "City"), and Grassroots Gardens of Buffalo, Inc., a domestic a not-for-profit corporation, having its principal office located at <sup>Rm 1808, City Hall,</sup> ~~328 Massachusetts~~ <sup>NO 65 NIAGARA Sq.</sup> Avenue, in the City of Buffalo, County of Erie and State of New York 14213, (hereinafter referred to as "Grassroots"). *JEP*

### WITNESSETH:

WHEREAS, the City and Grassroots having entered into a lease agreement whereby the City was lessor and Grassroots was lessee of certain property described therein in the City of Buffalo, County of Erie and State of New York, said lease having commenced on November 1, 2000 and having terminated on October 31, 2005; and

WHEREAS, the City and Grassroots having expressed a desire to renew said lease for the term commencing retroactively on November 1, 2005 and terminating on October 31, 2010; and

WHEREAS, per Item No. 4 of October 3, 2006, the Common Council of the City of Buffalo approved a renewal of said lease for an additional term commencing retroactively on

November 5, 2005 and terminating on October 31, 2010 upon the terms and conditions as set forth herein.

**NOW, THEREFORE,** upon the mutual promises and conditions contained herein, the parties mutually agree as follows:

1. That the lease entered into between the City and Grassroots for the lease of the properties described therein, in the City of Buffalo, County of Erie and State of New York, said lease having commenced on November 1, 2000 and having terminated on October 31, 2005, is hereby renewed for an additional term commencing retroactively on November 1, 2005 and terminating on October 31, 2010.

2. The City and Grassroots hereby agree to amend said lease by adding thereto the following provisions:

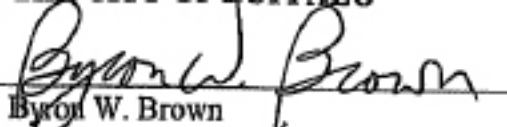
- a) The lease is hereby amended to include as leased properties only those properties listed on Schedule "A" attached hereto and made a part hereof.
- b) Grassroots may request additional sites to be added to the lease during the lease term of this agreement subject to prior approval of Land Use Planning and the Common Council.
- c) In the event that any of the City owned properties listed in Schedule "A" are needed by the City for public use or development, the City shall give Grassroots a 30 day written notice to terminate the use of that particular site. The City and the Grassroots will work together in an attempt to find a replacement site for any displaced garden.

3. That all other terms and conditions contained in said lease (except as specifically modified in paragraph "2" above), a copy of which said lease is attached hereto and made a part hereof, are continued in full force and effect.

**IN WITNESS WHEREOF**, the respective parties hereto have caused these presents to be executed the day and year first written.

**THE CITY OF BUFFALO**

By:

  
Byron W. Brown  
Mayor

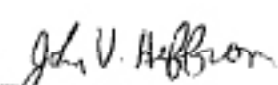
**APPROVED AS TO FORM ONLY**

Date:

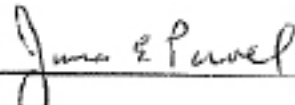
**ALISA A. LUKASIEWICZ**  
Corporation Counsel

**GRASSROOTS GARDENS OF BUFFALO,  
INC.**

By:

  
**JOHN V. HEFFRON**  
Assistant Corporation Counsel

By:

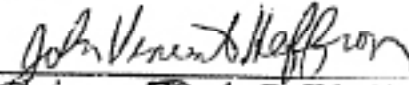



STATE OF NEW YORK )  
COUNTY OF ERIE ) ss:  
CITY OF BUFFALO )

On this 7 day of February, 2007, before me, the subscriber,  
personally appeared

**BYRON W. BROWN,**

Personally known to me, on the basis of satisfactory evident to be the individual whose name is subscribed to and that he is the Mayor of **THE CITY OF BUFFALO**, the corporation described in and which executed the above instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Commissioner of Deeds, Buffalo, New York  
My Commission expires: 

or

Notary Public, Erie County, New York  
My Commission expires: \_\_\_\_\_

JOHN VINCENT HEFFRON  
Notary Public, State of New York  
No. 02HE4860576  
Qualified in Erie County  
My Commission Expires May 5, 2010

STATE OF NEW YORK )  
COUNTY OF ERIE ) ss:  
CITY OF BUFFALO )

On this 3 day of January, <sup>2007</sup> 2006, before me the

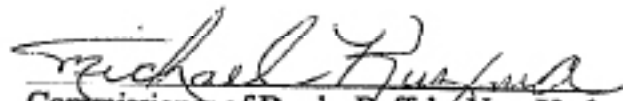
undersigned, personally appeared

**GRASSROOTS GARDENS OF BUFFALO, INC.**

to me known, who being by me duly sworn, did depose and say: that he/she resides in the

City of Buffalo, <sup>HE</sup> that she is **GRASSROOTS**

**GARDENS OF BUFFALO, INC.**, the corporation described in and which executed the above instrument; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that she signed her name thereto by like order.

  
Commissioner of Deeds, Buffalo, New York  
My Commission expires: \_\_\_\_\_  
or  
Notary Public, Erie County, New York  
My Commission expires: \_\_\_\_\_

**MICHAEL KUZMA**  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
My Commission Expires Aug 16, 2009

SCHEDULE "A"

REC #	##	STREET	SPONSOR / CONTACT
1	84	AUBURN	FRIENDSHIP BLOCK CLUB GARY BARNES 1007 WES AVE 14213 882-8240
2	3259	BAILEY	STREET SYNERGY MARK BOSTOPH 3292 BAILEY 14215 829-7285
3	114	BRAYTON	MASSACHUSETTS AVE PROJECT DIANE PICARD 271 GRANT 14213 816-0000
4	32	CEDAR	MONTESSORI SCHOOL MICHELLE STIEGLITZ 271 GRANT 14213 816-0000
5	330	CONNECTICUT	CONNECTICUT STREET ASSOCIATION ROBIN JOHNSON 326 CONNECTICUT 14213 884-2892
6	348	CORNWALL	CORNWALL AVE BLOCK CLUB THEODORE & ROSEMARY JACKSON 406 CORNWALL 14215 896-6806
7	852	DEHAVAN, EAST	HUMBER AVENUE BLOCK CLUB CONNIE SNELL 30 HUMBER 14215 891-4365
8	489	ELMWOOD	ATLANTIC - WEST UTICA UNITED VOICES BLOCK CLUB ROBERT PEDERSEN 16 ATLANTIC AVE 14222 883- 4238
9	442	FERRY, EAST	E FERRY / WOHLERS TOUCH OF BEAUTY WARDELL LEWIS 400 E. FERRY 14208 885-9319
10	1223	FILLMORE	MLK BLOCK CLUB ASSOCIATION RITA GAY 778 NORTHAMPTON 14211 895-0156
11	1226	FILLMORE	NORTHAMPTON BLOCK CLUB WENDELL WHITAKER 25 PARKSIDE AVE 14214 833-3249
12	71	FOX	FOX STREET BLOCK CLUB GLORIA MOYE 70 FOX 14212 852-2580
13	11	HELEN	HELEN STREET BLOCK CLUB MARY HAMMOND 92 LAFAYETTE AVE 14213 882-0004
14	278	HUDSON	NICKEL CITY CO-OP KIRK LAUBENSTEIN 208 NORTH 14201 474-7045
15	272	JERSEY	FARGO ESTATE NEIGHBORHOOD ASSN GAIL GRAHAM 247 JERSEY 14201 882-3348
16	226	MARYLAND	BEECHER BLOCK CLUB ROBERT GUARINO 265 MARYLAND 14201 852-0710
17	259	MARYLAND	BEECHER BLOCK CLUB ROBERT GUARINO 265 MARYLAND 14201 852-0710
18	383	MASSACHUSETTS	MASSACHUSETTS AVE PROJECT DIANE PICARD 271 GRANT 14213 816-0000
19	118	MULBERRY	FRIENDLY FRUITBELT NEIGHBORHOOD BLOCK CLUB ALThERIA WARE 100 MULBERRY 14204 856-9667
20	493	NORTHAMPTON	COMMUNITY ACTION INFORMATION CENTER ROSA GIBSON 103 WOHLERS 14208 885-5925
21	495	NORTHAMPTON	COMMUNITY ACTION INFORMATION CENTER ROSA GIBSON 103 WOHLERS 14208 885-5925
22	498	NORTHAMPTON	COMMUNITY ACTION INFORMATION CENTER ROSA GIBSON 103 WOHLERS 14208 885-5925
23	499	NORTHAMPTON	COMMUNITY ACTION INFORMATION CENTER ROSA GIBSON 103 WOHLERS 14208 885-5925

REC #	##	STREET	SPONSOR / CONTACT
26	831	NORTHAMPTON	MLK BLOCK CLUB ASSOCIATION RITA GAY 778 NORTHAMPTON 14211 895-0156
27	835	NORTHAMPTON	MLK BLOCK CLUB ASSOCIATION RITA GAY 778 NORTHAMPTON 14211 895-0156
28	841	NORTHAMPTON	MLK BLOCK CLUB ASSOCIATION RITA GAY 778 NORTHAMPTON 14211 895-0156
29	137	NORTHLAND	NORTHLAND AVE CUSHION BLOCK CLUB THELMA RICHARDSON 144 NORTHLAND 14208 883-9048
30	126	ORANGE	FRIENDLY FRUITBELT NEIGHBORHOOD BLOCK CLUB ALThERIA WARE 100 MULBERRY 14204 856-9567
31	157	ORANGE	FRIENDLY FRUITBELT NEIGHBORHOOD BLOCK CLUB ALThERIA WARE 100 MULBERRY 14204 856-9567
32	20	ORTON	ORTON GARDENS CHRIS BROWN 34 ORTON PL 14201 884-1914
33	109	PROSPECT	WEST VILLAGE RENAISSANCE GROUP JUSTIN BROOKS 103 PROSPECT 14201 583-0550
34	1179	SENECA	SENECA BABCOCK ASSOCIATION ART ROBINSON 192 MAURICE ST. 14210 822-4778
35	31	SHIELDS	MASSACHUSETTS AVE PROJECT DIANE PICARD 271 GRANT 14213 816-0000
36	33	SHIELDS	MASSACHUSETTS AVE PROJECT DIANE PICARD 271 GRANT 14213 816-0000
37	601	SYCAMORE	WE CARE NEIGHBORHOOD BLOCK CLUB ELIZABETH TRIGGS 595 SYCAMORE 14212 852-2987
38	603	SYCAMORE	WE CARE NEIGHBORHOOD BLOCK CLUB ELIZABETH TRIGGS 595 SYCAMORE 14212 852-2987
39	621	SYCAMORE	WE CARE NEIGHBORHOOD BLOCK CLUB ELIZABETH TRIGGS 595 SYCAMORE 14212 852-2987
40	623	SYCAMORE	WE CARE NEIGHBORHOOD BLOCK CLUB ELIZABETH TRIGGS 595 SYCAMORE 14212 852-2987
41	33	TENTH	LOWER WEST SIDE ALLIANCE LINDA (MAE SHEPHERD) SPROERLE 48 TENTH 14201 854-8652
42	35	TENTH	LOWER WEST SIDE ALLIANCE LINDA (MAE SHEPHERD) SPROERLE 48 TENTH 14201 854-8652
43	395	VERMONT	NEW WEST VILLAGE ASSN ELIZABETH MANN 406 VERMONT 14213 881-9082
44	217	WEST	NICKEL CITY CO-OP KIRK LAUBENSTEIN 208 NORTH 14201 474-7045
45	108	WOHLERS	COMMUNITY ACTION INFORMATION CENTER ROSA GIBSON 103 WOHLERS 14208 885-5925
46	110	WOHLERS	COMMUNITY ACTION INFORMATION CENTER ROSA GIBSON 103 WOHLERS 14208 885-5925
47	112	WOHLERS	COMMUNITY ACTION INFORMATION CENTER

REC #	##	STREET		SPONSOR / CONTACT
				AMENDMENTS
48	400	PADEREWSKI		WE CARE NEIGHBORHOOD BLOCK CLUB ELIZABETH TRIGGS 595 SYCAMORE 14212 444-5108
49	138	JERSEY		NIAGARA JERSEY BLOCK CLUB ANA CHURCH 490 PROSPECT 14201 886-6389
50	142	JERSEY		NIAGARA JERSEY BLOCK CLUB ANA CHURCH 490 PROSPECT 14201 886-6389
51	144	JERSEY		NIAGARA JERSEY BLOCK CLUB ANA CHURCH 490 PROSPECT 14201 886-6389



## LEASE

This Lease is made as of the 1st day of November, 2001, by and between the City of Buffalo a municipal corporation, having its principal place of business in City Hall, No. 65 Niagara Square, in the City of Buffalo, County of Erie and State of New York, ("City"), and Grassroots Gardens of Buffalo, Inc., a not-for-profit corporation duly created under the laws of the State of New York, ("Grassroots").

The City is the owner of vacant lots as listed in Exhibit "A" attached hereto ("Properties"). Grassroots desires to use the subject properties for the purpose of combating community deterioration, by designing, developing, establishing and supporting vegetable, fruit and/or flower gardens.

Given the mutual benefits to be derived by the City and Grassroots in this endeavor, the parties hereby execute a lease agreement setting forth the terms and obligations of the parties with respect to the aforementioned properties.

Thus the Common Council of the City of Buffalo in its meeting of June 12, 2001, Item No. 12 approved the execution of the lease.

**NOW, THEREFORE**, in consideration of the terms, covenants and agreements herein set forth, the parties do hereby mutually agree as follows:

1. The City demises and leases to Grassroots the vacant lots as listed in Exhibit "A" attached hereto, located in the City of Buffalo, County of Erie.
2. The term of the Lease shall be five (5) years commencing retroactively on the 1st day of November, 2000 and ending on the 31st day of October, 2005.
3. Grassroots shall pay the annual rent of One dollar (\$1.00).
4. Grassroots shall be responsible for the maintenance and upkeep of the subject properties.
5. Grassroots shall not build or construct any permanent structure on the subject properties without the written approval of the City.

6. Grassroots shall defend, indemnify and hold the City harmless from and against any and all damages, claims, causes of action or expenses, including attorney's fees arising from use of the property.

7. Grassroots shall hold the City harmless of and from any and all liability of whatever nature, however caused in the use of the properties hereby demised and as evidence thereof, will at the execution of this use agreement at its own cost and expense furnish, provide and pay for general liability insurance policies with a minimal coverage of One Million (\$1,000,000.00) for personal injury liability and Fifty Thousand (\$50,000.00) dollars for property damage. In addition, Grassroots shall name the City as an additional insured in an owner's protective policy with the same limits as above. All policies in effect shall contain a provision for mandatory thirty (30) days written notice to the City in the event of cancellation of policies.

8. Grassroots shall not keep or have on the properties, or permit to enter upon the properties any article, substance, or thing of a dangerous, inflammable, hazardous, or explosive character that might, (a) substantially increase the danger of fire on the properties, (b) be considered dangerous by a responsible insurance company, or (c) be considered hazardous under any environmental statute, law, or regulation ("Dangerous Materials") unless the prior written consent of the City is obtained and proof of adequate protection is provided by Grassroots to the City and (d) Grassroots shall also comply with all laws, ordinances, rules, regulations and requirements of any governmental authority, including without limitations, any orders or rules foregoing relating to the use, storage, and handling of any hazardous wastes and to obtain all necessary approvals. Grassroots shall indemnify and hold the City harmless from all costs, losses, and expenses, including without limitation, attorney's fees and expenses, arising from or connected with any dangerous materials. This clause shall survive the termination of this lease.

9. Grassroots shall not sublet, assign or in any way encumber all or any of its rights under this agreement without the written approval of the City.

10. This Lease shall be subject to cancellation at any time by the City upon thirty (30) days notice to Grassroots. The same cancellation right is hereby given to Grassroots.


11. There shall be no extension, modification or amendment to this Lease unless in writing executed by the officers of the respective parties.

12. That notwithstanding any provisions contained in this Lease, it is expressly understood that this Lease and each and every provision thereof shall in all respects be subject to any and all conditions, restrictions and limitations now or hereafter imposed by or upon the powers of the City relating to the management, control, use or disposition of its properties or otherwise. Nothing herein contained shall be construed or given effect so as to conflict with or contravene the powers, duties and obligations of the City pursuant to law or to abridge, diminish or otherwise affect the jurisdiction and control vested by law in the City over the said properties.

IN WITNESS WHEREOF, the respective parties hereto have caused these presents to be executed and signed on this \_\_\_\_\_ day and year first written.

THE CITY OF BUFFALO

BY:

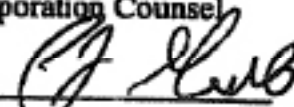
  
Anthony M. Masiello  
Mayor

APPROVED AS TO FORM ONLY

Date: 7-25-01

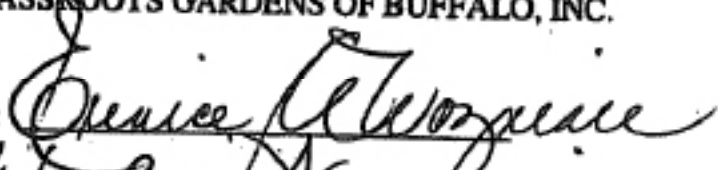
Michael B. Risman  
Corporation Counsel

By:

  
Carmen J. Gentile  
Assistant Corporation Counsel

GRASSROOTS GARDENS OF BUFFALO, INC.

BY:

  
a/k/a Carol Wojcik

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS:  
CITY OF BUFFALO )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me, the subscriber, pers  
appeared

**ANTHONY M. MASIELLO,**

to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Buffa  
York; that he is the Mayor of **THE CITY OF BUFFALO**, the corporation described in and which e  
above instrument; that he knows the seal of said Corporation; that the seal affixed to said instrument  
corporate seal; that it was so affixed, pursuant to the Charter of the City of Buffalo and that he signed  
thereto, pursuant to Resolution No. 12 of the Common Council Proceedings on June 12, 2001, and th  
signed his name thereto to said resolution.

\_\_\_\_\_  
Commissioner of Deeds, Buffalo, New York  
My Commission expires \_\_\_\_\_

or

\_\_\_\_\_  
Notary Public, Erie County, New York  
My Commission expires \_\_\_\_\_

STATE OF NEW YORK )  
COUNTY OF ERIE ) ss:  
CITY OF BUFFALO )

On this 5 day of November, 2001, before me the undersigned, p  
appeared EUNICE A. WORNIAK

to me known, who being by me duly sworn, did depose and say: that he/she resides in the City of Bu  
he/she is Admin. Asst. of GRASSROOTS GARDENS OF BUFFALO, INC., the corp  
described in and which executed the above instrument; that the seal affixed to said instrument is such  
seal; that it was so affixed by order of the Board of Directors of said corporation, and that he/she sign  
name thereto by like order.

Charlene L. Martin  
Commissioner of Deeds, Buffalo, New York  
My Commission expires 7/26/05  
or  
Notary Public, Erie County, New York  
My Commission expires 7/26/05

T:\WP52\ML\CO\GRASSROD.LBA

CHARLENE L. MARTIN  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires 7/26/05



# Appendix L:

## Toronto's Food Charter

*In 1976, Canada signed the United Nations Covenant on Social, Economic and Cultural Rights, which includes "the fundamental right of everyone to be free from hunger." The City of Toronto supports our national commitment to food security, and the following beliefs:*

*Every Toronto resident should have access to an adequate supply of nutritious, affordable and culturally-appropriate food.*

*Food security contributes to the health and well-being of residents while reducing their need for medical care.*

*Food is central to Toronto's economy, and the commitment to food security can strengthen the food sector's growth and development.*

*Food brings people together in celebrations of community and diversity and is an important part of the city's culture.*

*Therefore, to promote food security, Toronto City Council will:*

- ♥ champion the right of all residents to adequate amounts of safe, nutritious, culturally-acceptable food without the need to resort to emergency food providers
- ♥ advocate for income, employment, housing, and transportation policies that support secure and dignified access to the food people need
- ♥ support events highlighting the city's diverse and multicultural food traditions
- ♥ promote food safety programs and services
- ♥ sponsor nutrition programs and services that promote healthy growth and help prevent diet-related diseases
- ♥ ensure convenient access to an affordable range of healthy foods in city facilities
- ♥ adopt food purchasing practices that serve as a model of health, social and environmental responsibility
- ♥ partner with community, cooperative, business and government organizations to increase the availability of healthy foods
- ♥ encourage community gardens that increase food self-reliance, improve fitness, contribute to a cleaner environment, and enhance community development
- ♥ protect local agricultural lands and support urban agriculture
- ♥ encourage the recycling of organic materials that nurture soil fertility
- ♥ foster a civic culture that inspires all Toronto residents and all city departments to support food programs that provide cultural, social, economic and health benefits
- ♥ work with community agencies, residents' groups, businesses and other levels of government to achieve these goals.

## Towards a food-secure city

Canada's National Action Plan for Food Security states that "Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life."<sup>1</sup>

In May 2000, Toronto City Council voted unanimously to become a food-secure city that would strive to ensure:

- ♥ the availability of a variety of foods at a reasonable cost
- ♥ ready access to quality grocery stores, food service operations, or alternative food sources
- ♥ sufficient personal income to buy adequate foods for each household member each day
- ♥ the freedom to choose personally- and culturally-acceptable foods
- ♥ legitimate confidence in the quality of the foods available
- ♥ easy access to understandable, accurate information about food and nutrition
- ♥ the assurance of a viable and sustainable food production system.

## Ten reasons why Toronto supports food security

Food is a need all people share. So is the need for food security. Food security is not someone else's problem. Nor is it a problem that can be safely ignored by anyone or any government. If our city depends on imports for basic staples, we have a food security problem. If foods aren't labelled accurately so people know exactly what's in them, we have a food security problem. If foods aren't properly

inspected, we have a food security problem. If topsoil erodes and water tables are polluted, future food security is threatened. If healthy foods aren't affordable, we're all just one layoff, one divorce, one major accident or illness away from food insecurity.

Food security, however, is not just a set of problems. It creates opportunities. There are at least ten good reasons why investments in food security are among the smartest ethical investments a city can make, and why Toronto is starting to make those investments now.

### *1. Food security means no-one in the city goes to bed hungry.*

Toronto tries to be a city where everyone belongs, feels part of a larger community and has an opportunity to contribute. It does not want to be a city torn between haves and have-nots. The decision to make Toronto a food-secure city acknowledges that each of us is affected by the well-being of others. International studies show that people from all income groups are healthier when people from low-income groups are also healthy.<sup>2</sup> Some people see this commitment as a matter of conscience and respect for human rights. Some see it as enlightened self-interest and respect for the conditions that create a safe and liveable city. Either way, food security is essential to an open, peaceable and civil city Torontonians can take pride in.

### *2. Food security makes the city more affordable.*

Toronto is one of the few world cities in which people from all walks of life can still afford to set up home and raise families. But

<sup>1</sup> Canada's Action Plan for Food Security: A Response to the World Food Summit, 1998.

<sup>2</sup> For example, the poorest people in Sweden are healthier, on average, than the richest people in England. See Dennis Raphael, "Public Health Responses to Health Inequalities," *Canadian Journal of Public Health*, November-December 1998, page 89; R.G. Wilkinson, *Unhealthy Societies: The Afflictions of Inequality* (New York: Routledge, 1996); D. Vagero et al., "Health Inequalities in Britain and Sweden," *The Lancet*, 1989, no. 2, pages 35-36; D. Loon et al., "Social Class Differences in Infant Mortality in Sweden: A Comparison with England and Wales," *British Medical Journal*, 1992, vol., 305, pages 887-91.



it's an expensive place to live. During the 1990s, despite the boom in some economic sectors, the number of Toronto families living in poverty increased, both absolutely and relatively. Food banks, created as a short-term stopgap during the 1980s, became permanent fixtures in the city.

Measures that enable people to buy and prepare healthy but inexpensive food, or to grow some of their own food, help make the city more affordable to everyone.

### **3. Food security means every child gets a head start.**

Kids need a nourishing breakfast and a good lunch to get the most from their school day. Research proves that child nutrition and learning are closely linked, and that childhood nutritional shortcomings can last a lifetime. That's why school nutrition programs are well established across Europe and the United States.

Canada is the only western industrialized country that does not have a national child nutrition program. But Toronto gives 65,000 children a head start on their day and their life with school breakfast, snack and lunch programs supported by the city, province, volunteers and local businesses.

### **4. Food security saves on medical care.**

A healthy diet is the most cost-effective form of health care available. Heart disease, strokes, diabetes and cancer, all of which are related to diet, cost Toronto \$491 million a year in medical bills and lost productivity. Many worry that a public and universal health care system cannot sustain the burden of expensive treatments of preventable diseases. To protect Canada's health care system, especially as the population ages and chronic diseases peak, nutrition needs to be treated as a first line of defence.

### **5. Food security means more local jobs.**

Unlike people in many world cities, Torontonians rely almost entirely on food trucked from thousands of kilometres away. That means Toronto's food dollars travel thousands of kilometres to create jobs elsewhere.

It doesn't have to be that way, especially in a region that has the best farmland in Canada. As recently as 1960, most of Toronto's food came from within 350 kilometres of the city limits. If even 1.5 % of Toronto's surface area were made available to market gardeners and greenhouse operators, we could create a \$16 million a year industry growing 10% of our city's fresh vegetables. A combination of vacant, under-used land and flat empty roofs makes that goal achievable.

### **6. Food security is environmentally friendly.**

The more we rely on the Greater Toronto Area for food, the more we will enjoy fresh air and clean water.

Since plants store carbon dioxide and release oxygen, gardens improve air quality. Local growers also reduce the need to bring in food by truck. Trucks burn 10 times more energy in transit than is in the food itself. Growing 10% of our vegetables in the city would reduce greenhouse gas emissions by 37.9 kilotonnes a year, help meet Toronto's commitments to reduce global warming, and avoid more than \$5 million in environmental costs.<sup>1</sup>

Plants also absorb rain, and keep rainwater out of the sewage system, where it's difficult and costly to treat. Rooftop gardens collect rainfall, and lower a building's heating and cooling needs. Putting gardens on top of 20% of the city-owned buildings in Toronto

<sup>1</sup>Calculations provided by Rod MacRae, Ph.D., food policy advisor, at the request of the Toronto Food and Hunger Action Committee.

would add 16 hectares of green space to the city, providing food, oxygen and better stormwater control.

**7. Food security reduces traffic pollution.**

Unlike many U.S. cities, Toronto boasts quality food stores within easy reach of most people. That's an amenity worth protecting.

The trend in food retail is to larger stores surrounded by huge parking lots, usually away from populated areas. As a result, people without cars are at a disadvantage, while shoppers with cars add to traffic jams and pollution. In a food-secure Toronto, people will live within walking distance of a food store and have the opportunity to exercise when they do their shopping errands.

**8. Food security is good business.**

Food processing, the city's largest industry sector, employs 40,000 workers. More than 120,000 people have food-related jobs, in restaurants, shops or marketing. Job security in these businesses depends on customers with food security.

Toronto could create even more jobs by supplying more of its own food needs. It has a diverse and cosmopolitan populace that isn't always served by mass market products. Some people require halal or kosher meats. Vegetarians, vegans and people with food sensitivities and allergies all have special needs. These people support small, community-based processors who specialize in filling their special needs. These small companies create food security for their employees and customers.

**9. Food security means waste not, want not.**

A typical family of four generates a tonne of food and packaging waste a year. Most of it is carted away to landfill sites, at about \$60

a tonne. What we waste could be turned into any number of resources, including methane for clean fuel, livestock feed, or compost to enrich gardens. A city that is food-secure knows the difference between waste and the feedstock for another business or project.

Toronto has many resources waiting to be used. There is idle land that could be made into gardens, and greenhouses that lie empty for part of the year. Those gardens could use recycled water and rain for irrigation. The greenhouses can use waste heat coming from power plants and boilers. Food security is about not throwing opportunities away.

**10. Food security is neighbourly.**

People from all cultures build communities around food. Seder ceremonies, Eid-al-Fitr festivities, Caribana picnics, family dinners at Thanksgiving, wedding feasts, anniversary banquets... most people celebrate special events by breaking bread with companions — the word companion comes from the Latin for "with" and "bread." Community gardens also bring people together in a project that beautifies and enlivens a neighbourhood.

Some elderly or disabled residents rarely enjoy eating with friends and neighbours, but find it difficult to get around, and so often eat alone. In a food-secure Toronto, they will enjoy more opportunities to join others for a meal.

Toronto is the name its original inhabitants used for "meeting place." Food honours that tradition, and helps keep Toronto a place where people of many cultures and values enrich the city with their distinctive variations on our common human needs.

# Appendix M:

## Assessment of the Food System

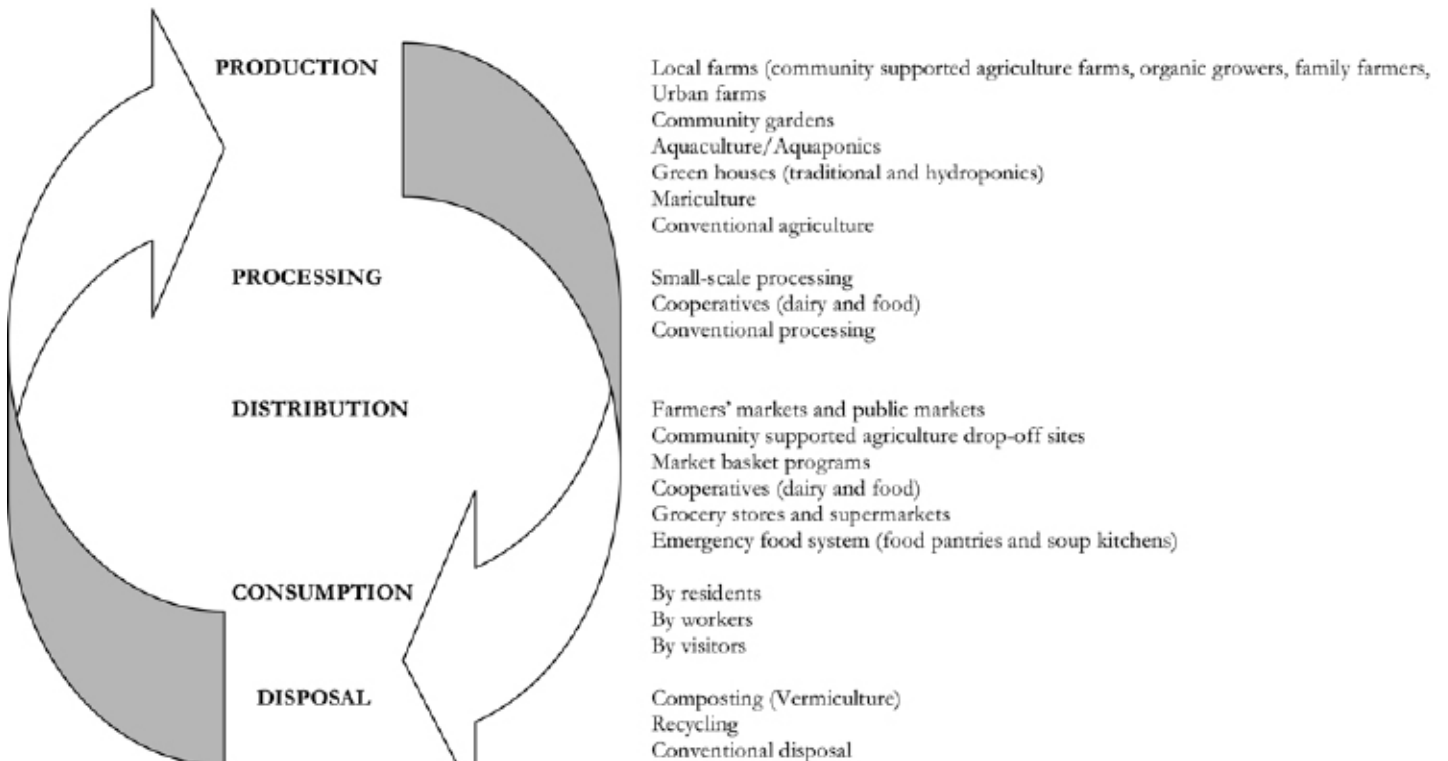
### Definition of the Food System

A “food system” is the chain of activities and processes related to the production, processing, distribution, eating, and disposal of food (Pothukuchi et al 2000). In the conventional food system, production, processing and distribution occur on a large industrial scale. This assessment identifies the main food retailers in Erie County and the city of Buffalo but also examines local food production at the county and citywide level. Additionally, community gardens can become another component of the local food system when their purpose is to cultivate produce rather than serve as an ornamental element of a neighborhood. When used to grow food, community gardens have the potential to become healthy and convenient food sources for people who would be food insecure without them.

Assessment of the food security of Buffalo is also of concern for this report. As defined by the United Nations Food and Agriculture Organization, “Food security means that food is available at all times; that all persons have means of access to it; that it is nutritionally adequate in terms of quantity, quality and variety; and that it is acceptable within the given culture. Only when all these conditions are in place can a population be considered food secure. This standard includes four key components: availability, accessibility, and appropriateness.

The concept of “food deserts,” which is a metaphor often used to describe neighborhoods with poor access to grocery stores that are more likely to carry fresh and whole foods, is an essential part of this assessment because a presence of food deserts is an indicator of food insecurity.

### The Food System



Source: Raja, Born, Kozlowski-Russell 2009

## Buffalo's Food System Production

Food production is the starting point of the food system. Production is the growing or raising of raw products from urban and rural farms, community gardens, aquaculture, and greenhouses (Raja et al 2008). For this assessment, local food production will be examined at both the county level and at the city level.

According to the 2007 U.S. Census of Agriculture there are 1,215 farms in Erie County a -6% change from the 2002 US Census of Agriculture that reported a total of 1,289 farms. Annual average sales per farm in Erie County are \$96,322 for 2007, which is a 34% increase from 2002. Erie County ranks 14th overall in the state for both crop and animal production.

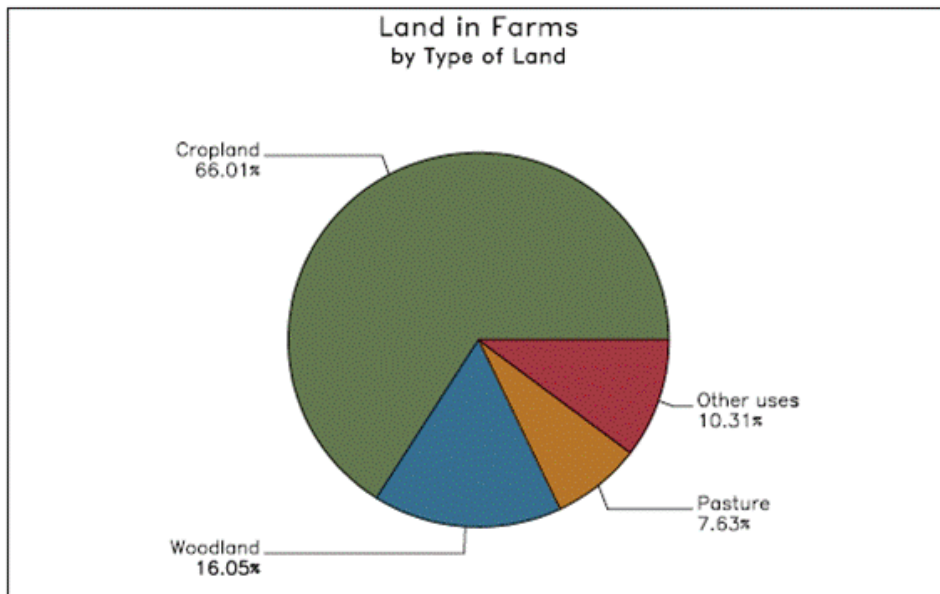


Figure 4-2: US Census of Agriculture Farm Land Uses

Western New York has a limited growing season and is subject to severe winters; however, the use of greenhouses for food production is not prevalent. Only 6 farms in Erie County were recorded to have greenhouses for the production of vegetables, fresh cut herbs and tomatoes.

Food production within the city limits of Buffalo is predominately private residential gardens and neighborhood community gardens. Urban agriculture is not a recognized land use in the city, and the possession of farm animals has become an issue as well. Community gardens and urban agriculture would be more feasible if there were zoning ordinances that protected that type of land use.

Buffalo used to have a greater presence of commercial greenhouse gardening in the past, but in 2005 there were no food producing commercial greenhouse gardens (food for growth). The Massachusetts Avenue Project, a nonprofit urban gardening and educational resource, has recently unveiled a greenhouse to be used for year round food production. This greenhouse will provide food for residents of the West side of Buffalo as well as serve as an educational resource for youth involved in their “growing green” program. Regardless of the fact that Buffalo is a four season city, the use of greenhouses for urban food production is not widely employed at this time.

This food system is supplemented on an individual basis by private gardens; however, they are maintained for primarily private reasons, and there is limited data available to assess the scope of this particular type of garden. A private garden can range from a potted plant to an extensive use of a private yard to grow food for personal use. Community gardens, however, are usually located not in back yards but on parcels of land that are accessible to the majority of members of a neighborhood. Depending on the charter of the garden and the purpose of the lot decided by the individuals or organizations planting there, community gardens have the potential to feed members of the community for little to no cost of their own with the exception of sweat equity. Due to the advantageous nature of having access to inexpensive food production, community gardens are becoming ever more prominent.

### *Processing*

The food and beverage processing industry involves adding value to a raw product through various processes (food for growth). This component of the food system involves the alteration of fresh produce or animal products through portioning, cooking, freezing, and treating to make a marketable product with a substantial shelf life.

Erie County has 86 food processing or food manufacturing firms that employ 4,869 people according to the 2007 Community Business Patterns Census Survey. This category of industry includes frozen food manufacturing for example.

The City of Buffalo is home to large mainstream food processors like Rich Products Corp, Freezer Queen Foods, Sorrento Lactalis, and Tyson Foods Inc. As of 2004, 22% of all food and food processing businesses are located in the Buffalo-Niagara Region (Buffalo-Niagara Enterprise).

### *Distribution and Wholesale*

The distribution portion of the food system includes the transporting of raw and processed goods to retailers, wholesalers, institutional and emergency food sources. Ninety-three distribution and wholesale entities are located in Erie County as of 2007 (County Business Patterns). Five of these wholesalers are farm product raw material merchants. However, the origin of their product is not listed so the produce provided may not be from Erie County. This type of distribution is not specific to local food production for Erie County or the City of Buffalo. This is a serious component of the global food system because as goods are transported farther, the cost required to ship them increases, and the cost of the food to the end user rises concurrently.

Alternative food wholesale facilities such as farmer's markets and community supported agriculture are alternative forms of retail which directly link the local producers with the consumers in contrast to the agribusiness model of food production. There are currently six farmer's markets throughout Erie County, with two located within Buffalo city limits. Currently these two farmer's markets do not and can not sell produce grown in the city.

### *Retail*

Mainstream retailers are the most common outlet from which the public buys food. These retailers range from large supermarkets which dominate the food market to smaller neighborhood size bodegas and convenience stores. As of 2007, there were 231 supermarkets and 354 grocery stores in Erie County employing 11,356 and 12,500 people respectively (County Business Patterns 2007). The difference between supermarkets and grocery stores is based on the size of the establishment and the number of employees, with supermarkets being the larger. Specialty groceries and markets such as fish and seafood markets and bakeries amount to 112 establishments throughout Erie County.

The City of Buffalo has seven supermarkets within city limits, and they are dispersed throughout the four main neighborhoods. North Buffalo, the East and West side each have two while South Buffalo has only one (Raja et al 2008). Buffalo's East Side is not considered a "food desert" because it is scattered with smaller convenient store and bodega type food retailers. An economic impact analysis conducted on the East Side stated that there was demand and fiscal viability for a new supermarket to be built to serve the community. Unfortunately, the redlining of neighborhoods of color by large supermarkets prevented the store from being built (Pothukuchi 2005).

The food service industry accounts for the most common source for the consumer purchase of food in Erie County. Under the category of food service and drinking places, 1,991 establishments were recorded in 2007. This category includes various food service enterprises including everything from full service restaurants to caterers. In fact, in 2008 restaurants accounted for 71.73% of all food sources in Erie County. Restaurants are as numerous as 26.31 for every 10,000 people (Raja et al 2008).

A 2008 study demonstrated spatially that there are 1.85 restaurants per neighborhood in the county while supermarkets were calculated at .05 per neighborhood (Raja et al 2008). There are disparities in access to food stores. Predominantly black neighborhoods have .43 supermarkets within a five mile walking distance and racially mixed neighborhoods have .69. Conversely, black neighborhoods have 1.6 fruit and vegetable markets within a five mile walking distance while mixed neighborhoods have only 1.6.

#### *The Emergency Food System*

The emergency food system is a term used to describe the food sources for lower income individuals and families that do not have the means to obtain food through conventional food retailers. These sources include both governmental and non-governmental entities that range from food banks and soup kitchens to churches and other such sources. In 2007, nine social assistance establishments provided food to the residents of Erie County (Community Business Survey). These resources help to alleviate hunger throughout the community; however, the food provided through charities and retailer surpluses is often unwanted by the donors or not culturally appropriate for the people receiving it.

#### *Disposal*

The means for dealing with excess supplies from food production and processing within the food system is the disposal component of the food system.

In the industrial food system, an increasing amount of waste from production and packaging is created from this model of agribusiness (Raja et al 2008). However, a local food system strives to achieve sustainable alternatives to this aspect of consumption. Composting and vermiculture (composting with worms) are two alternative methods of food waste disposal that are more environmentally friendly than directly contributing to landfills. Both of these methods of disposal can be achieved at home on the individual level as well as institutionally.

Erie County's Department of Environment and Planning cites composting as an inexpensive way to recycle kitchen waste and promote healthy plants. Plants improve air quality, and composting can reduce waste up to 15%. Though information and tips for starting an at-home compost system are advertised by the county, there is no formal implementation strategy.

# Appendix N

## Model GENERAL PLAN Language to Protect and Expand Community Gardens

\*This is sample model language obtained from [healthyplanning.org](http://healthyplanning.org).

California state law requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, called the general plan. As the “constitution” of a community, the general plan underlies all land use decisions. Legally, all local government land use policies must rest on the principles and goals of the general plan.

General plans can be updated or amended to include policy language supporting community gardens.

For information on the general plan update and amendment process, see *General Plans and Zoning: A Toolkit on Land Use and Health*, available at [www.healthyplanning.org/toolkit\\_gpz.html](http://www.healthyplanning.org/toolkit_gpz.html).

For additional ideas on model general plan policies that support healthy communities and ideas for implementation, see *How to Create and Implement Healthy General Plans*, available at [www.healthyplanning.org/toolkit\\_healthygp.html](http://www.healthyplanning.org/toolkit_healthygp.html).

The following model general plan language establishes a land use policy to promote the establishment of community gardens as an important community feature. The language is designed to be tailored to the needs of an individual community, and can be incorporated into the general plan in many ways. Language written in italics provides different options or explains the type of information that needs to be inserted in the blank spaces in the policy.

“Comments” describe the provisions in more detail or provide additional information.

**Goal/Objective:** Protect existing and establish new community gardens and urban farms as important community resources that build social connections; offer recreation, education, and economic development opportunities; and provide open space and a local food source.

### Policies/Actions

- Encourage the creation and operation of one community garden of no less than [one] acre for every \_\_\_ [ 2,500 ] households. Identify neighborhoods that do not meet this standard and prioritize the establishment of new gardens in neighborhoods that are underserved by other open space and healthy eating opportunities.

Comment: The standard presented here is based on Seattle, Washington's standard – one community garden per 2,500 households. This standard matches closely the National Recreation and Park Association's widely used "best practice standards" for a neighborhood park or tot lot (1/2 acre: 2500 households for a tot lot; 1 acre: 5000 households for a neighborhood lot ). Communities that are more or less urban will need to assess whether this standard is appropriate for them.

- Identify existing and potential community garden sites on public property, including parks; recreation and senior centers; public easements and right-of-ways; and surplus property, and give high priority to community gardens in appropriate locations.
- Adopt zoning regulations that establish community gardens as a permitted use in appropriate locations. Community gardens are compatible with the [ insert names (e.g., Commercial, Public Facility, Open Space, Multifamily Residential) ] land use designations shown on the General Plan land use map.
- Encourage [ or require ] all new affordable housing units to contain designated yard or other shared space for residents to garden.
- Encourage [ or require ] all [ or some, such as multifamily residential, commercial, institutional or public ] new construction to incorporate green roofs, edible landscaping, and encourage the use of existing roof space for community gardening.

Comment: Communities should ensure that building codes address safety concerns, including appropriate fencing and added load weight, when permitting roof gardens.

- Community gardens shall count towards park and open space allocations required by local Quimby Act ordinances for new subdivisions and multifamily development.

Comment: The Quimby Act is a California policy that authorizes cities and counties to pass ordinances requiring developers to dedicate land or pay in lieu fees, or a combination of both, for park or recreational purposes as a condition to approving a tentative map application. Dedication of land associated with the Quimby Act requires setting aside between 3 to 5 acres of developable land for every 1,000 population generated by the proposed development.

- Create a Community Gardening Program within the [ Parks and Recreation Department ] to support existing and create additional community gardens.
- Increase support for community gardens through partnerships with other governmental agencies and private institutions including school district(s), neighborhood groups, senior centers, businesses, and civic and gardening organizations.
- Secure additional community garden sites through long-term leases or through ownership as permanent public assets by the City, nonprofit organizations, and public or private institutions like universities, colleges, school districts, hospitals, and faith communities.
- Encourage local law enforcement agencies to recognize the risk of vandalism of and theft from community gardens and provide appropriate surveillance and security to community gardens.



## Model ZONING Language Establishing Community Gardens as an Approved Use

California state law requires each county and city to adopt a comprehensive, long-term plan for the physical development of the county or city, called the general plan. , The community’s zoning ordinances set forth the regulations to carry out the policies of the general plan. Zoning is a regulatory mechanism by which a government divides a community, such as a city or county, into separate districts with different land use regulations within each district. Simply stated, zoning determines what can and cannot be built, and what activities can and cannot take place, on the parcels of land throughout a community.

The majority of California’s cities have “use-based” zoning laws. Use-based codes divide the jurisdiction into distinct districts, such as residential, commercial, multi- or mixed-use, and industrial, and regulate the use and development of the land within the districts based on the designation. Community gardens are not usually addressed in zoning codes, which leaves them vulnerable to being closed down as “illegal” uses or to displacement by development that is expressly permitted in the zoning district.

The following model language is designed for California cities or counties to tailor and adopt as an amendment to their existing zoning laws. We offer two options: (1) an ordinance that establishes that community gardens are an approved use of land in residential, multifamily, mixed-use, industrial and any other districts in which a community garden would be appropriate; and (2) an ordinance that establishes a separate subcategory or subdistrict of open space dedicated for the use of community gardens.

The first designation allows residents to develop and maintain community gardens in the enumerated districts without requiring the residents to obtain any type of permit, finding, variance, or other government approval. Because no permits are required, the ordinance sets forth basic regulations for community gardens.

The second designation establishes community gardens as a legitimate use in specified zoning districts and gives them the same protections as other types of open space uses in the community. Communities can amend their zoning codes to include one or both of these designations.

The local jurisdiction will need to determine where within its existing code the ordinances would best fit, make other amendments as necessary for consistency, and follow the appropriate procedures for amending the zoning law. The language is designed to be tailored to the needs of an individual community. Language written in italics provides different options or explains the type of information that needs to be inserted in the blank spaces in the ordinance. “Comments” provide additional information.

### Permitted Use of Community Gardens

Community Gardens shall consist of land used for the cultivation of fruits, vegetables, plants, flowers, or herbs by multiple users. The land shall be served by a water supply sufficient to support the cultivation practices used on the site. Such land may include available public land. Community gardens are a permitted use in the following zones: residential, multifamily, mixed-use, open space, industrial \_\_\_\_\_ [ add other zoning districts ] subject to the following regulations:

Comment: Some communities may permit community gardeners to keep bees and raise chickens on garden sites. If so, this definition can be amended to allow these uses.

(a) Site users must provide a Phase I Environmental Site Assessment (ESA). Any historical sources of contamination identified in the ESA must be tested to determine type and level of contamination; appropriate remediation procedures must be undertaken to ensure that soil is suitable for gardening.

Comment: Funds and grant for environmental site assessments, testing and cleanup procedures may be available from a variety of state and federal sources. Site users should coordinate with their local economic development and redevelopment agencies, as well as their local/regional Department of Toxic Substances Control.

(b) Site users must have an established set of operating rules addressing the governance structure of the garden, hours of operation, maintenance and security requirements and responsibilities; a garden coordinator to perform the coordinating role for the management of the community gardens; and must assign garden plots according to the operating rules established for that garden. The name and telephone number of the garden coordinator and a copy of the operating rules shall be kept on file with the City [insert department name] Department.

Comment: To function effectively, a community garden must have established operating rules and a garden coordinator. In this ordinance, a municipality could (1) require that gardens have rules, as the model language does above, (2) provide a complete listing of rules; or (3) give authority for a particular city or county department or officer to establish community garden rules and require each community garden to adhere to those rules. A municipality could also choose to address some or all of the requirements for operating a community garden in this or an accompanying ordinance.

(c) The site is designed and maintained so that water and fertilizer will not drain onto adjacent property.

(d) There shall be no retail sales on site, except for produce grown on the site.

Comment: Community gardens can be a needed source of income to low-income residents, as well as a source of produce for neighbors who do not grow their own food. The model language allows gardeners to sell the produce they have grown, but permits no sales of other items. Because the model ordinance permits community gardens to be established in a variety of use districts, including residential districts, a municipality may be reluctant to allow major retail operations on garden sites. If the municipality chooses, it may allow more expansive sales at garden sites. Alternatively, it could permit gardeners to sell produce at a different site.

The model ordinance addresses land use issues when permitting sales, but does not address other regulations that may affect sales, such as health and sanitation laws or business license regulations. Before permitting sales of community garden produce, the municipality must ensure that those sales are permitted under other state and local laws.

(e) No building or structures shall be permitted on the site; however, [ sheds for storage of tools limited in size to [ \_\_\_\_\_ ] or subject to the requirements of section \_\_\_\_ ], greenhouses that consist of buildings made of glass, plastic, or fiberglass in which plants are cultivated, [ chicken coops ], benches, bike racks, raised/accessible planting beds, compost or waste bins, picnic tables, seasonal farm stands, fences, garden art, rain barrel systems, [ beehives ], [ barbeque grills, outdoor ovens ] and children's play areas

shall be permitted. The combined area of all buildings or structures shall not exceed [ 15 percent ] of the garden site lot areas. Any signs shall comply with applicable [ city/county ] ordinances.

Comment: Some communities may wish to allow community gardeners to erect sheds for the storage of tools on garden sites. The municipality should make sure that any provision regarding sheds conforms to other municipal code provisions regarding storage sheds on property. Additionally, if communities permit the cultivation of beehives and chickens in their community gardens, structures for the care of these animals should be included. Local laws vary on the keeping of farm animals in different use districts.

(f) Fences shall not exceed [ six feet ] in height, shall be at least [ fifty percent ] open if they are taller than [ four feet ], and shall be constructed of wood, chain link, or ornamental metal. For any garden that is [ 15,000 square feet in area or greater ] and is in a location that is subject to design review and approval by the [ City Planning Commission or Landmarks Commission ], no fence shall be installed without review by the [ City Planning Director, on behalf of the Commission ], so that best efforts are taken to ensure that the fence is compatible in appearance and placement with the character of nearby properties.

Comment: Municipalities usually have requirements regarding fences in their zoning or building codes. If the municipality has existing regulations, it may not need this provision.

(g) Other Regulations

Comment: Communities may wish to impose additional regulations on community gardens, including:

- Prohibiting connections to electricity or sewers without a permit or other permission from the municipality or a particular department;
- Imposing specific regulations regarding maintenance of the site, such as frequency of waste collection;
- Requiring a community garden to have a nonprofit entity or neighborhood group as a sponsor or to act as garden coordinator; or
- Requiring particular landscaping or setbacks outside of the garden within the public right-of-way.

#### Community Garden Open Space (Sub)districts

Community Garden open space subdistricts shall consist of land divided into multiple plots appropriate for and limited to the cultivation of fruits, vegetables, plants, flowers or herbs by various users. Such land may include available public land.

Comment: Some communities may permit community gardeners to keep bees and raise chickens on garden sites, assuming local law so permits. This definition can be amended to allow these uses.



# Appendix O

## Considerations for Siting Community Gardens

### **Neighborhood Characteristics**

Community gardens are fundamentally about people. They provide venues of social interaction where residents are able to meet their neighbors in a productive and safe environment. As great as these gardens are at providing sources of food, making a space more aesthetically pleasing and revitalizing a neighborhood, they cannot thrive with the one thing they benefit the most. That is the people. The relationship between neighborhood residents and community gardens is a harmonious and synergistic one. People tend the garden, and the garden provides a location for producing a strong social network. Certain neighborhood characteristics are helpful when creating and maintaining a community garden.

### Composition of neighborhood

Community gardens can benefit people of all age groups. Community gardens are avenues for aged residents to become involved with a neighborhood that they may have lost touch with over the years. During the Queen City Gardens community meeting, one gardener stressed the advantages these amenities have for the senior populations of neighborhoods. This Buffalonian said they went around and asked the senior population if they could have a clipping from their personal gardens. Then they planted these clippings into the community's garden. This interested seniors into visiting to see how their plants had been used and sparked a continuous relationship with the garden.

### A neighborhood with a large proportion of renters or people who live in condos:

Renters typically do not have their own land to garden with. Having a high population of renters would provide a large amount of people willing to utilize a community garden. Gardens should be placed near dense apartment buildings for this reason.

### Percentage of a neighborhood that is low income

Low-income neighborhoods should be chosen for community gardens. The benefits of food production can be used to supplement the grocery lists of the families that live in them. A package of seeds and some manual labor can be cheaper than buying foods at the supermarket. Community gardens can also be used in low-income areas where food deserts are present. Distance to supermarkets can be a hindrance to people who may not have the time or transportation to go grocery shopping.

### Immigrants coming from a place with a large farming background

Foreign-born people living in the city of Buffalo may come with a different background on agricultural practices. Refugees are one group of people where this is true and can capitalize on community gardens. Many of these displaced people have come to Buffalo and are experiencing a new culture and a new food

system. Some of the mainstream food offered in this country may not be culturally appropriate for them. Therefore, gardening the fruits and vegetables that are found in their homelands may provide them with something they are familiar with, something that maybe hard to attain in the United States and something that is inexpensive. By providing a sense of normalcy and an environment that replicates their homelands, agricultural practices in community gardens can be comforting.

#### Proximity to Another Garden

Gardens should be spread out across the city. This will make sure that one services every neighborhood that is lacking in one.

#### Neighborhoods without enough Green Space:

Gardens can be created in smaller sized lots that are not large enough to qualify as a public park. These areas would punctuate the monotonous environments of buildings and pavement. Businesses and residents can partner up to beautify their neighborhoods through the use of community gardens.

#### Household composition:

Families that have young children strive to set a good example for their kids. This involves teaching them healthy eating habits. Community gardens act as a safe place for young children to be outdoors as well as learn about healthy food.

New families also face budget constraints. Children, as enjoyable as they are, pose an economic burden. Inexpensive food grown in community gardens can be added into a new family's diet.

Lastly community gardens, as mentioned before, act as social gathering place. Households with children can meet other families in the neighborhood fostering friendships and other beneficial relationships. Residents can take turns watching each other's children when needed. The neighborhood has an opportunity to become acquainted with local young people.

#### Current Stakeholders

Potential allies and enemies can be found in neighborhoods next to community gardens. A list of all the stakeholders and their assets or issues that could come up should be made. If there would be too much resistance, a different site should be chosen.

#### Current City Plans

The City of Buffalo's comprehensive plan should be checked to make sure that the proposed site of the community garden does not have a future use. Even if there is a proposed use, city plans can be adaptable when new ideas are brought into light.

#### Proximity to institutions

Schools and university campuses provide a youth workforce to tend gardens after classes. Buffalo has many local colleges and universities it can capitalize on. Many students leave over the summer, but there may be a significant population who stays in the area. Local City schools have a workforce that typically found in the neighborhood the school is located in.

Buffalo's downtown area has many businesses that can supply the gardens with its workers. These people can patron the gardens before and after their shifts, as well as during their lunch breaks.

#### Proximity to Transportation

Buses and the rail line allow community gardeners to get to their garden without a car. Public transportation makes sure than the garden is accessible for anyone who is willing to work on the garden, or just

wants to be a visitor. Gardens along bike and pedestrian paths ensure that there is a flow of people that have an opportunity to visit the gardens. The sites also act to beautify these greenways.

## **Site Characteristics**

### Identification of suitable land parcels

Community gardening organizations will need to identify available vacant land with assistance from designated staff person. Grassroots Gardens will work with community gardening organizations or gardeners to seek appropriate land tenure arrangements.

### Adequate sunlight

Sunlight is the first and foremost determinant of site suitability. The growing area must receive full sun for as long as possible. A vegetable garden should receive at least six hours a day of full sunlight [The American Community Gardening Association, as well as several other gardening resources, have identified the need for adequate sunlight when growing vegetables. This requirement varies among species.]

### Soil Quality

The most important characteristic for successful growing in any garden is its soil. Soil quality depends on healthy soil with proper texture yields the best garden. Soil must be tested for texture, nutrient content and contaminants. Because testing and remediation can be costly, Grassroots Gardens should make available information about remediation, as well as resources for low-cost testing in the City of Buffalo.

The texture of soil directly relates to its water-retention capabilities and oxygen content. The ideal soil has lots of organic matter and a smaller component of inorganic material such as rock fragments, sand, clay and silt. The addition of organic material can improve any soil type.

Nutrient tests will provide the ratio of nitrogen to phosphorous to potassium or NPK. These three numbers can be found on fertilizer packaging. The NPK ratio will affect the overall health and resistance, sturdiness and maturation rate of plants in a garden. The ratio can help to determine what plants are suitable for the site as well as what type of fertilizers are necessary to improve suitability.

Contaminant tests determine the level of and type of toxicity found within the soil. In areas with heavy industry and older buildings, the probability of soil contamination is rather high. Lead paint is a particularly common pollution source due to the Buffalo's abundance of aged housing. Lead can be especially hazardous to children, who typically have a much lower tolerance to absorption than adults. It is important that gardeners are educated on the effects of lead and know that even passive contact with toxic soil can lead to lead absorption.

Remediation can be costly and take time. Soil replacement is the easiest and most effective way to reduce toxicity. However, gardeners should be aware of natural ways to remediate contaminated sites. Bioremediation, while a lengthy process, can have educational benefits to gardeners learning about contamination and remediation. Planting mustard seed and other leafy green plants can help to leech toxicities from contaminated soil. Additionally, native plants can have cleansing properties. As bioremediation gardens are tested in Buffalo, a resource of plants having effective cleansing properties should be developed and made available to the community gardening network.

### Availability of compost/organic gardening materials

Because the addition of organic material can improve the quality of soil, it is important to have a plan to access organic gardening materials. Gardeners should be aware of the different ways they can produce

their own compost. If compost material is not produced on-site, gardeners should budget and plan for compost delivery or pick up.

### Slope and drainage

In order to maintain an adequate moisture level, careful thought must be given to plant type and location in relation to the site's slope and drainage pattern. If site grading is uneven, low areas will hold water. If re-grading is not an option, plant species that prefer moist conditions.

### Access to water

Access to water is important to garden success. A plan for water access should be established well ahead of planting. If municipal water connection is not an option, gardeners should brainstorm creative ways to collect rain water. Rain barrel collection can be effective, but requires a roof or structure for runoff. Mulching and various irrigation methods can improve water conservation. All gardeners should be encouraged to practice water conservation techniques to minimize water consumption.

### Site Configuration

The configuration of a garden can impact its usability and success. When laying out your garden, consider the amount of path space, depth of reach and spacing of plants to properly determine where plants and amenities should be located. There are numerous resources on garden design that specifically denote how to layout a garden in a typical city lot size, how to build efficient raised beds and how to arrange companion plants. See the Resource Guide for more information on these resources.

Additionally, when choosing a site, remember to consider those "soft" spaces that are otherwise ignored in your neighborhood. Utility right-of-ways and medians make great community gardens. When considering one of these spaces for your garden, remember the users. For example, spaces that are close to the road are not suitable for children to garden in. However, these spaces can be used to cap pollution, build screen planting or for wildflowers. For example, the Somerton Tanks Demonstration Farm in Philadelphia utilized the soft space around the site of a water tank.

### Species Selection

Choosing the proper species of plants is important to achieve high yield during harvest seasons. Once soil texture and composition, access to water and sunlight and slope and drainage are determined, gardeners should research suitable plants for the garden's makeup. The Rodale Institute and Chelsea Green both publish great gardening resources. See the Resource Guide for more information on popular gardening books.

Additionally, there are many benefits to planting native species. Native plants help clean the air and water by absorbing and processing pollutants naturally. Native plants provide a habitat for a variety of small animals, butterflies and birds. Native plants require little maintenance, reducing the amount need for fertilizer and nearly eliminating the need to mow, trim or prune. They increase biodiversity above and below the soil that help to support local gardeners and urban farmers in their fight against pests and plant diseases. Moreover, native plantings provide an opportunity for children to play, explore and learn about the natural world.

[NatureHood, collaboration of citizens, government, nonprofit and private entities dedicated to restoring and improving greenspace in Cleveland created a network of native plant landscapes on the City's abundance of vacant land. The NatureHood website provides information on the environmental, economic and social benefits of native plant gardening for Cleveland. The organization looks particularly to plant native species due to benefits they provide to the physical, economic and social climate of a community. NatureHood highlights the various benefits that native plants can offer a community. The selected benefits



highlight aspects that apply to any context - demonstrating the advantages to developing a native plant resource for Buffalo.]

### Safety and Visibility

Visibility from neighboring residents is especially important as it serves as a source for community pride and identification when in view at all times. Additionally, locating a garden in a well-traveled area, visible to the most residents is important to maximize safety for gardeners. Gardens that are set-back, out of the way or masked by buildings are vulnerable to vandalism and crime. Lighting can improve safety in set-back gardens, but care should be taken to educate residents and gardeners on the dangers of visiting the garden at night or alone. Once the garden is established, organizers should do their best to make all gardeners aware of each other to distinguish between recognized gardeners and potential troublemakers.

### Accessibility to persons with disabilities and older adults

It is important to consider all members of your community when developing a garden. Care should be taken to assess the needs of gardeners and members of the community poised to admire and visit the garden. Older adults and disabled individuals may not have the capabilities to lift or haul heavy items. Simple solutions increase accessibility for all users of the garden.

Raised beds can be more accessible to disabled individuals. Consult ADA guidelines found online and at local libraries for proper heights levels, turning radiuses and widths necessary to accommodate wheelchairs and walkers. Consider storing tools and materials close to beds for easy access.

Typically, wheelchairs and walkers require a four-foot path in order to make a 90-degree turn without backing up; five feet allows for a 180-degree turn. The ideal pathway for wheels and walkers is even, non-skid and requires minimal upkeep. Innovative use of materials is acceptable as long as they effectively accommodate users. Bricks and other pavers can be recycled from other projects to provide an even pathway. One resource found roofing paper to provide adequate traction for a garden pathway, noting the material lasted for several years.