

# Taking Root: Land Tenure and Community Gardens in Providence, Rhode Island

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Since the late 19th century, and particularly during hard times, community gardens have been used to transform “slacker land”—tax delinquent property, surplus public space, and vacant land held by speculators—into leafy, green parcels in the urban landscape. In our time, “slacker land” can also refer to brownfields, which is land that is abandoned or under-utilized and where reuse of the land is hindered by concerns about real or potential contamination. The current interest in community gardens as means to address brownfields, disinvestment in poor urban neighborhoods, food security, neighborhood stabilization, and public health has a lengthy, if not well-known, history—one that is relevant to urban greening initiatives today.

For example, to help feed the poor during the depression of 1893, municipal officials in Detroit provided 430 acres of donated land—much of it held by speculators—to nearly 900 families. Each family received an allotment of about half an acre to grow food for its own use and to sell whatever surplus was available. The city helped out with the plowing and water access, and it even produced training materials in the languages of the immigrant population. Not unlike today, the program had its skeptics on matters related to cost and the public benefit, but the \$3,000 outlay by the city produced a bumper crop of produce worth some \$12,000 dollars, and within two years, similar programs could be found in twenty cities across the country, including New York, Philadelphia, Boston, and Chicago.<sup>2</sup> By the end of the 19th century, the number of families and associations involved in community gardening and the amount of acreage under cultivation exceeded current levels. Few, if any of these gardens exist today, however. The families that banded together to form Vacant Lot Cultivation Associations typically signed agreements with municipalities stipulating that they would vacate donated lands

at the request of the owner. Without secure land tenure, community gardens were vulnerable to changing economic conditions. By the end of the first decade of the 20th century, industrial employment surged, new factories were built, and development pressure induced land speculators to sell the land on which many gardens were located.

The story was repeated a generation later. During the Great Depression, community gardening was encouraged by public and



**DeWitt Clinton Gardens, New York City, 1908**

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<sup>2</sup> Laura Lawson, “The Planner in the Garden: A Historical View into the Relationship between Planning and Community Gardens,” *Journal of Planning History*, 2004, 3, 151

philanthropic programs as a poverty and unemployment relief measure. These programs provided urban families with donated land (*e.g.*, municipal property, vacant lots, school yards, factory land parcels, etc.), seeds, and technical assistance in growing and canning foods.<sup>3</sup> According to a 1934 national report on subsistence gardens, some 2.3 million families cultivated nearly four hundred thousand acres of land, an area equivalent to the amount of harvested cropland in Vermont a few years ago.

Like the community gardens of the 1890s, few of the gardens on these four hundred thousand acres remain. In the face of competing policy goals, federal and state support for garden programs did not last. Funding that had been allocated to gardening went to public works employment schemes and resource conservation efforts. Some community gardeners continued their efforts, but without government assistance and with dwindling public support, community gardens in time reverted to other uses.

This wider perspective suggests that through much of our history community gardens have been short-lived and politically contested. They have been seen by local officials and planners more as a stop-gap measure, an interim use for surplus urban land, rather than as a permanent resource. Such a view has tended to undervalue the investment gardeners have made—clearing sites, improving the soil, delineating and cultivating plots, and maintaining gardens. It has also failed to fully take into account the larger public benefits associated with community gardening (*e.g.*, neighborhood stabilization, access to fresh food, environmental restoration, and expanded social networks). Because many of these sites were occupied through user-initiated action with no public authorization, community gardens typically were not considered by officials to be “the highest and best use” of urban land.

The question of land tenure and community gardens is far from settled. The most recent national survey by the American Community Gardening Association (ACGA) of 6,020 urban gardens in thirty-eight cities showed land tenure and site permanency to be critical issues. Of the roughly 6,000 urban gardens surveyed, only 131 community gardening organizations, or 2% of those surveyed, had obtained title to the land, while a further 187 gardens were owned by a land trust.<sup>4</sup> The survey revealed that most community gardens were located on abandoned, leased, or temporarily donated land, and even though the majority of community gardeners surveyed intended their gardens to be permanent, some 500 garden sites were lost between 1992 and 1996.<sup>5</sup> The survey found that gardens were lost due to economic development pressures, the rising value of the land, and by loss of interest on the part of gardeners. The authors of the report concluded: “As an overall issue, resolution of site permanency has not been addressed, yet it may be the crux of the future success of urban community gardens.”<sup>6</sup>

Since the AGCG survey was conducted fifteen years ago, community gardens have become more prevalent in American cities. Exact numbers are hard to come by, but some estimate there are now between 18,000 and 20,000 community gardens. In addition to the typical neighborhood community garden where plots are subdivided for individuals or families, community gardens now exist in a variety of forms: Volunteers or food pantry clients grow

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<sup>3</sup> *Ibid.*

<sup>4</sup> American Community Gardening Association, “National Community Garden Survey,” June 1996.

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*, p. 5.

produce at or near food pantries or food bank; school gardens combine hands-on gardening activities and classroom lessons; therapy gardens are located at hospitals, senior centers, and prisons; entrepreneurial gardens grow and sell the produce to teach business or job skills to youth or other groups; and demonstration gardens, open to the general public, seek to educate local residents and build support for gardening and growing food.

This increase in community gardens is likely to continue for a number of reasons. There is a renewed and growing interest in better food quality, more sustainable methods of food production, and alternative food supply mechanisms, such as farmers markets, that can help support farms in urban area. This emerging pattern of urban agriculture can also serve the interests of city officials and planners. Faced with budget deficits and the mortgage foreclosure crisis, cities are beginning to appreciate how local food systems can extract value from their inventories of abandoned and vacant parcels in the form of increased property values, enhanced environmental amenities, and in some cases job creation from urban farms.<sup>7</sup>

A policy of encouraging community gardens can also help cities avoid the cost of maintaining abandoned properties. Given the sheer number of abandoned properties in certain regions of the country—70,000 abandoned lots in Chicago, 65,000 abandoned lots in Detroit—and the likelihood that such parcels will remain vacant for 20-30 years, city agencies are more willing to convey or lease vacant lots to organizations able to take on site maintenance as part of community gardening activities.<sup>8</sup> In this way, not only do cities avoid the costs of maintaining these sites (e.g., police protection, fire protection, and mowing, which can amount to a few thousand dollars per site per year), but they also obtain, through community efforts, additional green space and environmental restoration at very little cost.

It may well be that we are seeing an alignment of interests, a moment in our history when city officials and community gardeners see opportunities for joint gain. To what extent will this cooperation, spurred in part by the latest economic crisis, be short-lived as in the past? Or will the combined efforts of growers, planners, food security and public health advocates, and others shift the perception of community gardens from an interim use of land to something more permanent, a validated and recognized community resource?

To address these questions, this policy brief looks at how the Southside Community Land Trust (SCLT) in Providence Rhode Island has been able to preserve, protect, and expand community gardens for nearly three decades. It describes the multiple strategies the SCLT has pursued—the outright purchase of vacant properties, partnerships with affordable housing organizations and watershed groups, education and outreach to promote community gardening beyond the individual garden plot holders to the community at large, and creating a city-wide coalition to advocate for a community gardening ordinance so community gardens in Providence can have a more secure legal basis.

But protecting community gardens in the long run is about more than obtaining title to a handful of vacant properties; for the SCLT putting community gardening on a more secure footing has meant handling complex issues of governance. Community gardens and the

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<sup>7</sup> Ioan Voicu and Vicki Been, "The Effect of Community Gardens on Neighboring Property Values," *Real Estate Economics*, 2008, V36 2: pp. 241–283

<sup>8</sup> Martin Bailkey and Joe Nasr, "From Brownfields to Greenfields: Producing Food in North American Cities," *Community Food Security News*, Fall 1999/Winter 2000

neighborhoods in which they are located move through trajectories of change. What happens to community gardens when many of the initial gardeners move away? Does the early enthusiasm leave with them? Do the gardens become stagnant? By what means has the SCLT created spaces and programs that change with the community? And more broadly how has it managed to sustain and encourage greening initiatives and community gardens in the city for three decades?

### **Southside Community Land Trust**

Between 1955 and 1980 Providence lost 40% of its housing stock as the result of two widespread phenomena—the movement of city residents to the suburbs and de-industrialization. The loss of population and manufacturing jobs led to a slow, inexorable decline of the Southside neighborhoods of the city. Many landlords came to the conclusion that their old, dilapidated properties could not generate sufficient rents to restore them. As one local resident put it, “instead they burned them down and collected the insurance money.” Absentee landlords were only part of the problem. Southside property owners who owed taxes on residential property “would send the keys to the city and say, it’s yours.” With little or no upkeep, many properties slumped into disrepair, were deemed unsafe for habitation by city code enforcers, and eventually were demolished and cleared.

By 1980-81, Providence had a large inventory of vacant/abandoned property, so the city established a program to auction off tax-delinquent properties. The auctions started at \$50 for a lot and went up in increments of \$50. According to one auction participant, “you could buy a



**Community Gardens and City Farm, Southside Community Land Trust, Providence, RI**  
Source: Google Earth

buildable lot for the amount of money you'd spend to go out for dinner." Three recent Brown University graduates raised money to buy vacant lots with the idea of creating community gardens to help recent immigrants from southeast Asia grow food and to provide a space for neighborhood residents to get to know each other. One of the original gardens is pictured above.

When the SCLT was starting up there was "no political interest in community gardens, nobody cared." Community gardens didn't fall under the authority of any specific city agency: While public parks fell under the mandate of the city's Department of Parks and Recreation, community gardens, with their ambiguous status, neither private nor public, did not. The Department of Public Works allocated its resources to street repairs, infrastructure maintenance, and plowing, but not community gardens. There was no municipal version of an EPA focusing on the potential risks posed to gardeners and others from cultivating and eating produce grown in contaminated urban soils.<sup>9</sup>

With a large inventory of vacant properties to choose from, and little countervailing force against it, the SCLT was at first "imperial" in its approach to community gardens. Land trust leaders wanted more land; they wanted to find ways to acquire additional land through donations or to negotiate long leases with private property owners. They were willing to engage in guerrilla gardening, which involved cleaning up a litter-strewn vacant lot, occupying it without authorization, and then, with support from local residents, cultivating a garden. Once the garden was established, and once it took root in the imagination of local residents and city officials, it was unlikely that the city would expend the time and resources to boot them off when the neighborhood was burdened with so many vacant properties. The SCLT used the physical garden, rather than a drawing of a garden as part of neighborhood design charrette, to help build neighborhood support which could, if harnessed, translate into broader political support in the city council and within administrative agencies for a more comprehensive approach to growing food in the city's poorest neighborhoods.

While the SCLT preferred to own the land on which it developed gardens, it would also find suitable parcels in other ways. For example, it would solicit other community-based organizations (CBOs) in Providence for any lots they were willing to sell or lease. Sometimes a CBO might convey or lease to the land trust a parcel that the city had deeded to them for some public purpose, such as affordable housing. If faced with a bleak housing market or weak demand, the CBO could opt to lease the land to the SCLT for a specified number of years. In addition to contacting CBOs, the SCLT would sometime court private landowners who might deed them property for tax reasons or lease it to the trust to save maintenance costs and bring in a small fee.

### **Gardens Real and Imagined**

The SLCT worked under a different dynamic than 1970s "guerrilla gardening" in New York City. In New York, the people who banded together and illegally occupied vacant/abandoned properties were willing to defend their gardens if and when the city came to raze them. In Providence, the SCLT had to find willing gardeners to garden land they owned

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<sup>9</sup> The founders of the SCLT, however, were cognizant of lead contamination in the soil and the need for soil amendments. At the time, activists from Providence were pursuing a class action suit against the lead industry to fund a statewide cleanup initiative, so people were aware of the legacy of lead contamination from cars and lead paint.



legally. While fledgling SCLT had a vision about “place,” about greening Providence and creating more vibrant neighborhoods through community gardening, many of the local residents who showed an interest in gardening—such as newly landed immigrants—had a narrower focus. Seeking space to grow food for their families, they were less focused on community building or developing an environmental ethic. The circumstances that enabled the SCLT to take title to land—disinvestment, scant interest in transforming vacant properties into community resources, a lack of regulatory oversight and interest among city agencies—tended to cast the staff of the SCLT into being the “enforcer,” a role that was not anticipated at the outset.

The SCLT set up rules requiring certain communal activities, such as cleanup days for entire gardens—not just individual plots—and stipulated what were appropriate materials for fences so that non-gardeners who drove or walked by could enjoy the gardens and not see them as yet another eyesore. In the early days, the gardeners would use whatever material was at hand to make fences around the perimeter of the gardens. They used old doors or scraps of plywood, which made the gardens look like “shanty towns.” The SCLT also insisted on two-foot borders between plots so passersby could easily see and hopefully admire what was growing in the gardens and to help create an aesthetic that suggested diversity, initiative, and overall communal order, rather than a jumble or a maze of indistinct plots.



**Community Garden, Southside Community Land Trust, Providence, Rhode Island**

The SCLT came to realize during the initial phase of community gardening that they needed to find some way, beyond the gardens themselves, to demonstrate to local officials and others the full promise of community gardening. The SCLT, in essence, were community organizers. They said to local residents, “We’ve got the land. If you want to garden, show up and sign an agreement.” The majority of gardeners, it seems, primarily wanted access to land. For SCLT the question was how to broaden the appeal of community gardens and to get more vacant land converted to gardens when most of the community gardeners associated with SCLT up to that point had little interest in being a vanguard of the community greening movement.

To demonstrate their vision to city officials, potential funders, neighborhood leaders, and other community-based organizations, the SCLT created City Farm, a  $\frac{3}{4}$ -acre commercial enterprise in the Southside. City Farm “helped in a lot of ways,” according to an early SCLT supporter. It demonstrated that it was possible to produce literally tons of food within a city block. It also enabled SCLT to develop farmers’ markets, gave the SCLT a public face that was attractive to foundations, and taught thousands of local residents better ways to grow good food.



**City Farm, Southside Community Land Trust, Providence, RI**

Looking back on the tactics of the SCLT nearly thirty years ago, one knowledgeable observer was somewhat incredulous that the land trust could have done so much so soon and



suggested, “God looks after children and fools.” At that point, the land trust “didn’t really know what it really took to make a garden.”

### Beyond the Boundary

The SCLT has now been in existence nearly thirty years. It understands what it takes to create, protect, and expand community gardens: the costs, the time, the community organizing required, the coalitions to build, and the political capital needed. The SCLT now owns or has obtained long-term leases for thirteen community gardens in the Southside neighborhoods of Providence. In 2009, it created the Providence Garden Network through which it provides guidance and support to some twenty other community gardens in the greater Providence area. It has also spearheaded Providence’s Urban Agriculture Task force, which is a 50-member city-wide coalition working to expand community gardens and strengthen the local food system by modifying the city’s comprehensive plans and zoning ordinances.<sup>10</sup> The SCLT also carries out youth education programs, conducts city-wide plant sales, organizes delivery of high quality compost to community gardens throughout the city, and designs and builds community gardens on brownfields.



**Riverside Park, Providence, Rhode Island**

Source: Google Earth

<sup>10</sup> The task force includes public health professionals, food security advocates, growers, local watershed coordinators, and community development activists, as well as staff from the city’s Parks Department and the state’s Division of Agriculture and Department of Public Health.



To expand the scope of community gardens, the SCLT is working with designers and architects to create gardening space and edible landscapes in affordable housing and planned developments. And in the Olneyville neighborhood of Providence, about three miles from its base in the Southside, the SCLT designed and implemented a community garden on what was formerly the heavily polluted, six-acre Riverside Mills brownfield site. The site is now a linear park, a key component in the Woonsquatucket River Greenway Project, a large-scale initiative to restore the Woonsquatucket River and riverbank neighborhoods. As the photo below illustrates, the SCLT designed very deep raised beds (about 20" deep) with plastic boards actually suspended off the ground. The community gardens at Riverside Park are something of an experiment. The beds were elevated so deep-burrowing worms would not mix contaminated soil under the cap (6 feet) with the garden soil in the beds. The heavy boxes, however, started to sink into the marshmallow-like fill, so the SCLT had to build "pontoons" to spread out the weight of the boxes. The garden is a work in progress, and it is a means to attract local residents to use the new park. More important, SCLT was able to create a community garden within a public park, thereby giving community gardens the same sort of legitimacy as other city sponsored recreational activities, such as playgrounds.



**Community Gardens at Riverside Park, Providence, Rhode Island**

## Growing Community Gardens

In its first decade, the SCLT was “imperial” in wanting to obtain property for new gardens. At this point, it is somewhat more “choosey” about acquiring sites for community gardens. There is no simple answer to the question what criteria should influence where community gardens are developed. Should organizations seek to locate new gardens in areas that are farthest from farmer’s markets or adequate supermarkets? What is an optimum distribution of community gardens across an urban landscape? Is it better to have one big community garden that concentrates efforts and expertise or should one opt for smaller, more dispersed community gardens? SCLT’s approach is pragmatic. A property committee has put together a plan with priorities and a template to identify suitable properties to expand gardening activities. The template considers such features as a site’s location, the past uses of the property and likelihood of contamination, its configuration and size, its orientation to the sun, land tenure considerations, and so forth. Given these features, the property committee will come up with a budget to estimate the costs for acquisition, fencing, installing water meters, bringing in clean soil, and other materials such as tools, benches or structures for shade.

The SCLT will also consider if there is likely to be a supply of willing gardeners in the neighborhood, if leaders in the community can serve as viable partners, and if there is a wider interest in the community. The SCLT will also factor into the decision whether or not they have the staff resources to develop a garden in a new neighborhood in contrast to expanding an existing SCLT garden, and if they can devote scarce institutional resources over a long period of time to coax community groups to take up community gardening. And yet, like any organization, SCLT at times has to put the template away and become nimble if the opportunity to acquire or lease an attractive property is at hand.

In the current economic climate, such opportunities are not hard to uncover. Vacant lots that might have cost \$42,000 dollars a few years ago can now be had for a third of that price in the Southside neighborhoods of Providence. The SCLT has acquired a few lots for gardens during this time, but it does not want to grow to be too big. As one SCLT staff member put it, “we want the city of Providence to grow community gardens.”

Through the Urban Agricultural Task Force and other means, the SCLT is trying to mobilize political support to influence land use policies and waste management practices at the state and local levels to protect existing and establish new community gardens. These policies include: developing a city-wide composting program to provide growers with a cheap and abundant resource to improve the soil; adopting zoning regulations that remove special use permit requirements for community gardens in residential neighborhoods; implementing an overnight on-street parking program to get pavement out of backyards and gardens in; requiring new commercial and residential construction to incorporate community gardens; and declaring community gardens as a legitimate use of public resources.

Although not part of the Tasks Force discussions at this point, under a proposed zoning ordinance establishing community gardens, the city could require growers on a site to provide a Phase 1 Environmental Site Assessment (ESA) to identify historical sources of contamination on the site and, if need be, to test the soil to determine the extent and level of contamination. The city could also require applicants to submit the sampling results in a format that can be used to map the data on a geographical information system (GIS). In this way, the city could begin to

build a better, publicly available data set on contamination patterns and soil characteristics in urban neighborhoods. Alternatively, the city could skip the ESA requirement and instead establish a soil testing protocol for new gardening sites—that is, require soil testing and reporting the results to the city before gardeners break ground at the site.

Without city involvement or changes to the city's comprehensive plans and zoning ordinances it is uncertain how many new community gardens will be created and preserved. It is also an open question if the city of Providence is willing to put resources into this effort when unemployment in the city is at 12.5% and the city's priority is likely to be job creation. In thirty years, according to one long time observer: "The city has become more attuned to community gardens... it has become 'habituated' by virtue of its long association with the SCLT, and has seen that the land trust can solve a lot of problems at very little cost to the city. Culturally, what was an eccentric idea thirty year ago, has become cool."