

Meeting Report  
Public Meeting, October 13, 2009, 6:00 p.m.  
“Preserving Community-Managed Open Spaces”

Facilitated by

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Location: Parks & People Foundation, 800 Wyman Park Drive, Baltimore Green Space

30 attendees signed in

## Background

Community gardens and other community-managed open spaces provide their neighborhoods and the entire city with social, environmental, and economic benefits. Yet no matter how many years residents maintain the land as an asset to the community, the green spaces remain vulnerable to redevelopment. For example, the Pigtown Horseshoe Pit on Bayard Street, which has been in use as a community-managed recreational space for at least 30 years, was sold to a developer in 2007.

A solution used in cities such as Philadelphia, New York, Chicago, and Seattle is to preserve appropriate community green spaces in a land trust – a nonprofit organization whose mission is to hold land on behalf of a community. The land trust takes on the responsibilities of ownership, including liability insurance, property taxes, annual monitoring, and technical assistance. The neighborhood continues to do what it does best: maintain its own unique open space.

Baltimore Green Space has been working with the Office of Sustainability to develop criteria for selecting open spaces for preservation and a process for the City to transfer land in use as community-managed open space to a land trust. The three components of the project are:

- eligibility criteria;
- the process;
- and a pilot of two sites for transfer.

## Eligibility Criteria

Community-managed open spaces must meet four criteria to demonstrate their eligibility for preservation.

1. The **request for preservation must come from people involved with the site**, and the proposed site manager must complete an application. *(This criterion ensures that it is community members who decide to pursue preservation in a land trust.)*
2. The **community must demonstrate a capacity for long-term management of the site**. This consists of several components:
  - a. committed, able site manager and involvement of sufficient residents to take care of the site and to provide continuity.

- b. involvement of at least one partner organization active in the community (such as a community organization, umbrella organization, religious, service, or social institution, or in some cases a school)
- c. the community-managed open space must be at least five years old. Under special circumstances, where there is other strong evidence of the community's capacity to manage the site, the site can be younger.

*(Nobody can look into the future to see what will happen at a particular community-managed open space. Instead, this criterion looks at a site's track record and current management to predict its future.)*

**3. Documented community benefits:** how does the open space benefit the neighborhood? The community-managed open space must have a strong function in at least one community use, such as active recreation, passive recreation, food production, education, visual relief from the built environment, or gathering space for formal or informal community gatherings. Environmental benefits (such as absorbing rainwater, providing habitat for migratory birds, and reducing "food miles") and livability benefits (such as elimination of blight or crime reduction) enhance the site's attractiveness as permanent community-managed open space. *(This criterion ensures that the community-managed open space has a public purpose and actively contributes to Baltimore's sustainability.)*

**4. Reasonable environmental risk:** the green space must demonstrate a match between identified environmental risks and how the site is used. *(City soils may be contaminated with toxins from building materials and industrial uses, as well as lead from gasoline. This criterion requires a good match between how a site is used and the potential risks it poses. For example, a grassy pocket park is a good use for a former truck garage; a vegetable garden would not be.)*

### **The Process**

Prospective site managers will apply to a land trust. The land trust will determine whether the site meets the four criteria and whether the land trust can preserve the site. If so, and if the open space is on City-owned land, the land trust applies to City government to buy the lots for \$1 each. The land trust can also ask the City to foreclose on privately owned land with liens (that is, abandoned land). The City will determine whether to transfer the land to the land trust. The City may choose not to transfer the land to a Land Trust for several reasons, including (but not limited to):

- Land was acquired specifically for a development/redevelopment project;
- The land is a necessary part of a utility, public right-of-way or other public service.

After the land is under contract, the land trust, site manager, and partner organization will enter into a long-term agreement that outlines the role each will play to maintain the site. In addition, the land trust will provide basic liability insurance and annual site monitoring.

## **The Pilot Sites**

Two community-managed open spaces will be transferred to Baltimore Green Space as a pilot project to test the new criteria and process:

### *Pigtown Horseshoe Pit*

1217 Bayard Street, a narrow rowhouse lot in Pigtown, is a City-owned lot that is used by the neighborhood as a horseshoe pit. For about 30 years, it has brought safety and sociability to its corner and beyond with games, barbecues, and an annual tournament that attracts players and spectators from around the state. Above the pit rises a beautiful mural that depicts three gentlemen of the neighborhood playing horseshoes. In 2007 this lot was sold by the City to a developer. After City officials viewed the lot on a Baltimore Green Space tour, the City initiated a land swap with the buyer, with a view to the long-term preservation of the horseshoe pit.

### *The Duncan Street Miracle Garden*

The 1800 block of Duncan Street is a beautiful and productive one-acre organic vegetable and fruit garden. It was once the site of dumping, rapes, and other crimes, according to one of the men who works in the garden. Now the garden is safe enough that people come and work alone. Much of the food is donated to a local food pantry. The land is currently owned by the City.

## **Questions from Meeting Participants**

*How long does a project need to be around before it can apply?* The project must be at least 5 years old. Projects with a good track record are more likely to survive.

*Can projects make money?* Yes they can, but they must be community-managed. Most sites that make money are “real farms” – urban agriculture as a business – and the Office of Sustainability is hoping to work with the Department of Housing and Community Development to develop guidelines for urban agriculture.

*What’s the difference between “adopt-a-lot” and preservation in a land trust?* The adopt-a-lot program allows community groups to adopt City-owned land and use it for community space. However, there’s no guarantee that the land will always be available. Preservation in a land trust ensures that a community-managed open space is not redeveloped. Both are great tools and may be appropriate at different times.

*What happens if the City says “no”?* When there are solid development plans for a site, and the project can not be accommodated within the plans, the land will not be transferred to a land trust. However, it may be possible to arrange for a lease longer than the one-year adopt-a-lot agreement.

*What about privately owned land?* When landowners fail to live up to their obligations, both the City and residents have some options. Using the self-help nuisance abatement law – and following the appropriate procedures – residents can create green spaces on formerly blighted lots. When owners fail to pay taxes and fines, the City can often

foreclose on the property so that it becomes City-owned. Land trusts can ask the City to foreclose on abandoned land used as community-managed open space.

*What about HABC land?* Lots controlled by the Housing Authority of Baltimore City are owned by the federal government. They are not controlled by Baltimore City and are not available for transfer to a land trust by Baltimore City.

*What rules will the land trust impose?* Each land trust may have different rules. Baltimore Green Space recognizes that each community-managed open space is self-governed, and seeks to only add rules that make it possible for the land trust to protect the site. The liability insurance policy will impose some rules (such as no water features) and, since the land trust is a 501(c)(3), the site must have a public purpose.

*How does one start a green space?* Baltimore has some great organizations and programs that help new gardens and other open spaces. These include the Parks & People Foundation, the Community Greening Resource Network (CGRN), the University of Maryland Extension, Civic Works, and others.<sup>1</sup>

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<sup>1</sup> At the beginning of the evening, Sarah Ritter of the Community Greening Resource Network (CGRN) talked about CGRN. CGRN is an annual membership program, primarily sponsored by the Parks & People Foundation and University of Maryland Extension, with the help of many partners. CGRN hosts four annual give-away days, providing materials like seeds, compost, vegetable seedlings, and perennial plants; tool banks with hand tools for garden use and a member discount on power tools at a local tool rental shop; and workshops held by gardeners and other Baltimore City greening organizations. CGRN also provides a quarterly newsletter containing a calendar of city-wide events and informative articles; discounts on workshops; and networking opportunities for members to increase information shared between city gardeners.