



**PUBLIC INTEREST LAW
CENTER OF PHILADELPHIA**

AFFILIATED WITH THE LAWYERS COMMITTEE FOR CIVIL RIGHTS UNDER LAW

Garden Justice Legal Initiative Program Report 2011 - 2013



Clients &
Direct Service

Community
Education

Policy
Advocacy

Organizing



Public Interest Law Center of Philadelphia

The Public Interest Law Center of Philadelphia uses high-impact legal strategies to improve the well-being and life prospects of the Philadelphia region's most vulnerable populations by securing access to the resources and services that all of us need to live our lives. Our programs are focused on deeply intertwined resources that are essential to escaping the cycle of poverty: education, health care, employment, housing, clean and healthy neighborhoods and the right to vote.

Founded in 1969 as an affiliate of the Lawyers' Committee for Civil Rights Under Law, the Law Center advocates for civil rights and equality and has secured real, positive change for millions of victims of discrimination.

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Program Overview

In 2011, the Public Interest Law Center of Philadelphia launched the Garden Justice Legal Initiative (GJLI), with support from the [Skadden Fellowship Foundation](#). The goal of the project is to provide pro bono legal support, policy research and advocacy, and community education and organizing to community gardeners and market farmers in the Philadelphia region.

Neighborhood health is a major challenge for the city of Philadelphia. One quarter of the city's residents live in poverty; over 40,000 parcels of land lie vacant; and 900,000 people are hungry. Disinvestment has placed the health of numerous communities in jeopardy. Historically low wealth communities face extraordinary barriers to improving individual health and community well being. The Law Center believes that these, and all, communities deserve a voice in determining the future of their neighborhoods.

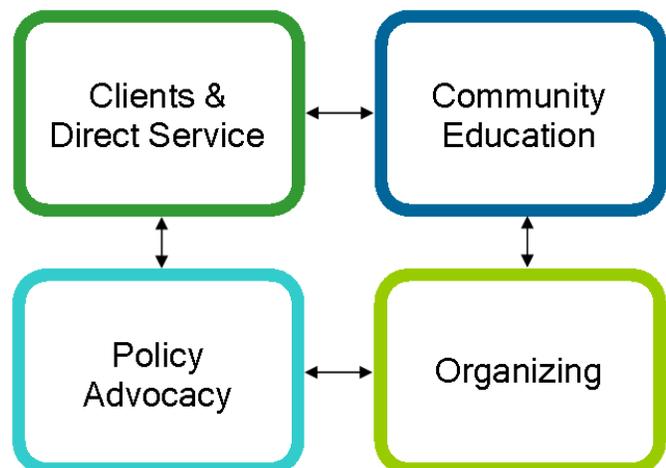
Despite economic barriers, residents throughout Philadelphia have proactively and collectively responded to public health and food insecurity challenges by converting vacant land into community gardens, farms, and green spaces. These spaces provide sources of healthy food and income, support youth and leadership development, preserve cultural traditions, and help communities revitalize and reclaim their neighborhoods.

Even though gardening, farming, and open space projects present clear benefits, established neighborhood sites face legal barriers that make these ventures difficult to sustain. It is a challenge to obtain legal access to abandoned vacant land, understand the complex web of city agencies that hold land, and comply with zoning, permitting, and tax policies.

Through community-based lawyering, the GJLI supports residents to gain more control and security over neighborhood spaces. Over the last two years, the GJLI has assisted numerous community groups to remain on the very land they have stewarded for decades. In the process, the GJLI has laid a strong, sustainable foundation for a community movement in support of food access, land sovereignty, and environmental justice.

Our Approach

We work to ensure that community farmers and gardeners have the resources and tools they need to preserve farms and gardens. We support movement building, self-advocacy, and informed leadership to effect equitable and meaningful reforms needed for community land and food security and sovereignty at the neighborhood, city, and state levels.



The Garden Justice Legal Initiative consists of four intersecting components.

By providing **direct representation to clients**, we have assisted garden leaders to protect important community spaces and food-producing operations. The GJLI also connects community gardens with pro bono counsel to expand capacity and increase representation of gardens.

Through **community education**, we engage with more than 200 people each year, providing tools to advocate for the right to use and build community on land in their neighborhoods.

The GJLI's director and community organizer have worked with numerous partners to successfully **organize and grow a network** of farmers, gardeners, and their neighbors, as well as community-based organizations and city officials, to build a strong, citywide voice for urban agriculture and garden and open space preservation.

Over the past two years, the GJLI has provided key **policy research and analysis** on urban agriculture, garden and open space policy in Philadelphia, rooted in the needs of current clients, as well as concerns raised by community leaders and city agencies.

This work is carried out in collaboration with residents, community-based organizations, partner nonprofits, city agencies and other municipal authorities.

Funders and Pro Bono Partners

Skadden Fellowship Foundation
Merck Family Fund
Claneil Foundation
FMC Corporation
Triskeles Foundation
Blank Rome LLP
Duane Morris LLP

Our Collaborative Partners have included:

596 Acres, Boat People SOS, HIAS PA, Mayor's Office of Sustainability, Mayor's Food Policy Advisory Council, The Merchant Fund, Neighborhood Gardens Trust, Pennsylvania Horticultural Society, Penn State Extension, the Philadelphia Department of Parks and Recreations, the Philadelphia Water Department, Temple University, and the University of Pennsylvania, amongst others.

As well as the many members of the Healthy Foods Green Spaces Coalition: African American United Fund, Agaston Urban Nutrition Initiative, Community Health Collaborative, East Park Revitalization Alliance, Farm to City, LLC, Friends of the St. Bernard Community Garden, Growing Home, Lawncrest Community Garden, Lindy Center for Civic Engagement, Mill Creek Farm, Nation of Islam Ministry of Agriculture, Partners for Sacred Places, Philadelphia Backyard Chickens, Philadelphia Orchard

Project, Teens4Good, Federation of Neighborhood Centers, Weavers Way Community Programs, Weavers Way Coop, WeNurturies, and West Philly Fresh Food Hub.

Clients & Direct Services

Over the last two years, the GJLI has provided direct representation and consultation support to a number of community gardens and market farms in order to increase land security and long-term project sustainability.

Central Club for Boys & Girls

The Central Club for Boys & Girls has stewarded community gardens and open space in Grey's Ferry since the 1940s. In spite of its rich neighborhood history, Central Club recently faced losing its land to sheriff's sale. GJLI secured a delay of the sheriff's sale, giving the club time to file for the necessary tax exemptions. After helping the group obtain nonprofit real estate tax exemptions, the GJLI successfully advocated to remove over thirty years of back taxes owed by previous delinquent owners.



The Village of Arts and Humanities and Norris Square Neighborhood Project

Both The Village of Arts and Humanities and Norris Square Neighborhood Project have been integral in turning abandoned parcels into parks and gardens in North Philadelphia and Kensington for more than 25 years. Over the past two years, the GJLI has worked with both organizations to consolidate ownership, reduce debt, and develop land preservation strategies to ensure the long-term health of these vibrant community spaces. Critical to this work has been the support of pro bono partner Duane Morris LLP, as well as the offices of City Council President Darryl Clarke and Councilwoman Quiñones-Sánchez.

Friends of Manton Park and Community Garden

When the Friends of Manton Park and Community Garden came to the GJLI, they were on the verge of losing a newly revitalized public space to development. We supported their effective self-advocacy to ensure that the maximum amount of space was preserved as a garden and park by the City of Philadelphia's Department of Parks and Recreation. Additionally, we negotiated with the adjacent developer to protect the garden from construction debris and to bring in resources for the space.

"The renovation and conversion of neglected, trash-strewn lots into Manton Street Park & Community Garden galvanized our community and made our neighborhood safer, greener and beautiful. The Friends of Manton Street Park & Community Garden worked

tirelessly around the clock to save our lot from sale. The Garden Justice Legal Initiative was an integral partner in the negotiations between the developer, the developer's attorney, City Council, and Parks & Rec. Amy Laura Cahn had the intimate knowledge of which channels we needed to pursue and the legalese and experience to connect the various agencies and departments. We had accomplished quite a bit of the work on our own but Amy Laura was able to be our communicator at the eleventh hour." - Mark Berman, Friends of Manton Street Park & Community Garden

Farm 51

Farm 51 is a small urban farm and educational center that provides affordable, fresh food to the local community in southwest Philadelphia. We provided guidance in their successful efforts to acquire a publicly owned parcel so that they can continue to farm for years to come. We are now developing a strategy to obtain an adjacent privately owned and tax delinquent parcel.

Plotland

Plotland is a small garden on a West Philadelphia corner lot. Neighbors worked together to transform this trash-strewn, abandoned lot into a viable community garden and meeting space. We advised Plotland in their successful efforts to obtain a lease, which will ensure land security in the short term.

Viola Street Garden

In the fall of 2012, we identified Viola Street Garden as one of seventy gardens actively offered up for sale by the City of Philadelphia. We alerted the gardeners and assisted them in obtaining a year-to-year Urban Garden Agreement. We are now advising the garden in its efforts to preserve this 30-year-old garden in the long term.

Pulaski Zeralda Garden

The Pulaski Zeralda Garden is another one of the gardens that was actively being offered for sale by the city. We connected Pulaski Zeralda gardeners to the Neighborhood Gardens Trust as a long-term preservation strategy and the garden is on its way to being preserved in perpetuity.

"Our garden is more than 25-years-old and the only spot of green on our block of row houses. When we learned that it was up for possible sale, we were anxious and did not know what to do. Amy Laura Cahn and the Garden Justice Legal Initiative helped us unravel the maze of city threads and talked us through options which will lead toward keeping this valuable neighborhood resource vital and strong for decades to come. All of us who live in older, industrialized sections of the city know that gardens, living plants, and fresh, organic produce shared with our neighborhood pantries are invaluable neighborhood assets. Thank you for doing the work to keep such miracles alive." -Dee Dee Risher, Pulaski-Zeralda garden leader

HIAS/Bhutanese Gardens

We are now working with HIAS Pennsylvania and a group of Bhutanese gardeners to identify land and other resources so that at least twenty five families can garden within a short distance of their Northeast Philadelphia homes.

Over the past two years we have also provided either direct representation or consultation support to these gardens or community-based organizations and others:

6th Street Garden
African American United Fund
Ann Street Garden
Cloud 9 Rooftop Farm
Early Bird Farm
Greensgrow Farm
HATCH
Hunting Park Stakeholders
Francisville Neighborhood Development Corporation
Kailo Mantua Garden
Lutheran Settlement House
One Hope Community Church
Sloan Street Garden
South Kensington Community Partners/La Fincita
St. Bernard Community Garden
Urban Nutrition Initiative
Urban Tree Connection
Walnut Hill Farm
WeNurturies



Policy Advocacy

Despite the breadth and depth of community-based urban agriculture and open space projects throughout Philadelphia, the GJLI recognizes that the City of Philadelphia must take leadership in creating supportive policies. The GJLI is committed to ensuring farmers and gardeners have a voice in city planning and policy decisions. We also recognize that this work requires strong partnerships with peer groups, residents and coalitions to advise elected officials and policy makers on ways to protect and preserve community gardens and open space projects. Over the last two years, we have taken a collaborative role in advocating and organizing around the following policies:

Philadelphia Redevelopment Authority's Vacant Land Disposition Policies

In December 2011, Amy Laura Cahn partnered with the Mayor's Food Policy Advisory Council vacant land subcommittee and the Food Organizing Collaborative to submit feedback from over one hundred gardeners, farmers, and allies on proposed policies for disposition of vacant city-owned land. Responding to our feedback, the Philadelphia

Redevelopment Authority and other land holding agencies modified proposed policies to expand opportunities for community gardeners and market farmers to include up to five-year leases and pathways to permanence for gardeners with a demonstrated history of stability. This demonstrates huge progress from the prior policy of offering one-year licenses.

Zoning Amendment Bill 120917

In November 2012, GLJI convened gardeners, farmers and partner organizations to raise a collective voice against Council Bill 120917, a proposed amendment to Philadelphia's new zoning code. Bill 120917 would have created unnecessary restrictions on allowable uses in commercial mixed-use areas, including community gardens and market or community-supported farms, putting 20% of existing gardens and farms across the city at risk.

Taking the lead in this effective grassroots campaign, the GJLI worked with constituents across the city to call on City Council to vote against this proposed amendment. In January of 2013, Councilman O'Neill amended his bill to maintain gardens and farms as a matter of right. And this ad hoc campaign galvanized the creation of **Healthy Foods Green Spaces**- bringing together gardeners, farmers, and open space advocates in a formal coalition.

Philadelphia Land Bank

Throughout 2013, the GJLI has taken an active role in supporting the now successful passage of Philadelphia Land Bank law, through participation in the Philadelphia Land Bank Alliance and the Campaign to Take Back the Land. The Land Bank law creates a single government agency to manage all vacant properties, replacing a system requiring multiple agencies. The law mandates public involvement in strategic planning and policy making and provides building blocks for a transparent, predictable, and efficient process for obtaining land. Furthermore, the law is written with the recognition that creating healthy and sustainable neighborhoods requires a variety of end uses - including urban agriculture, open space, and affordable and accessible housing. We look forward to participating in the next steps of the land bank conversation and in creating a platform for equitable development in Philadelphia.

Additionally, in 2013, Amy Laura Cahn, director of the GJLI was appointed as a member of the **Mayor's Office of Sustainability - Food Policy Advisory Council**. As a member of this council, Amy Laura works collaboratively to assess urban agricultural needs, analyze current city policies, and suggest reforms that build toward an overarching urban agriculture policy for the City of Philadelphia.

Organizing

The GJLI engages in on-the-ground and online organizing, network and leadership development, and the building of a coalition to provide critical input to policy makers on urban agriculture.

Healthy Foods Green Spaces

The Law Center began convening the Healthy Foods Green Spaces coalition in 2013: a network of community gardeners, market farmers, nonprofit organizations, community leaders, and allies. The coalition builds a collective, constituent voice to speak to policymakers about community land and food sovereignty. The coalition works to advocate for policies that foster community-based agriculture and encourage the growth of land-based projects. Healthy Foods Green Spaces also hosts community education and outreach events and provides opportunities for gardeners and farmers to network and share skills.

Grounded in Philly

In June 2013, in collaboration with 596 Acres in Brooklyn, New York, GJLI launched the Grounded in Philly website (www.groundedinphilly.org), a web mapping and organizing tool that consolidates and democratizes vacant land data; offers resources to those engaged in community-driven vacant land projects; brings neighbors together around particular parcels; and provides a platform for citywide advocacy.

This web-based tool makes the more than 40,000 parcels of vacant land in Philadelphia transparent, outlines pathways for securing use of vacant land, and provides networking and crowd sourcing opportunities for established and prospective gardeners. Grounded in Philly itself is an extension of our on-the-ground advocacy work, allowing users of the site to share information with us and with each other.

Since the web tool launched in June of 2013, more than 5,900 unique visitors have visited the site.

Community Education

Over the last two years we have reached more than 650 people through workshops and speaking engagements. We regularly present on topics identified by gardeners or on trends that become visible through our policy and organizing work. We participate in educational opportunities both locally and nationally.

GJLI has presented at the following venues:

Congreso
Southeast Philadelphia Collaborative/United
Communities
Sustainable Neighborhood Development
Norris Square Neighborhood Project
Solutions for Progress
Philadelphia Higher Education Network for
Neighborhood Development Food Justice
Conference



Rutgers-Camden Urban Studies Department
Drexel University Urban Agriculture Program
Drexel Law School
Yale Environmental Law Conference
Toronto Urban Ag Summit
Growing Power
Just Food Conference
Cedar Park Neighbors/Ahimsa house
Norris Square Civic Association
Philly Farm & Food Festival
Allied Media Conference
Agriculture, Food and Human Values Society
U.S. EPA Beyond Translation Initiative
Social Justice Institute at the University of Pennsylvania
Technical.ly Philly
Citizens Planning Institute
Pennsylvania Green Space Coordinating Committee

Moving Forward

Much work is still ahead to ensure community gardeners, farmers, and open space advocates expand their voice in city policy and effectively advocate for the ongoing sustainability and preservation of critical neighborhood places.

We will continue to build on our successes to:

- Identify the needs of community gardeners and urban farms in Philadelphia related to policy, infrastructure, and resources
- Develop and provide tailored resources for individual gardeners
- Ensure the implementation of the Philadelphia Land Bank is effective, transparent, equitable, and accountable
- Ensure active participation by a diverse gardening community in city and neighborhood planning initiatives
- Participate in the development of new vacant land policies that recognize and protect the role of farms, gardens, and open spaces informed by priorities identified by neighborhood residents
- Work with gardeners and farmers to link their work to a larger food justice movement, locally and nationally
- Host local and regional gatherings on advocacy, and skill building, as well as present at national conferences

Photo Credit

Report photographs by Monique Brand, Michael Paci, Swaroop Rao, Stanley Wilson, Emily Wren and Law Center staff.

