

Vacant lots can become wonderful assets in our neighborhoods. These open spaces can be as beautiful as the finest parks and walkways anywhere in our city. They can become wonderful playscapes, parks, natural areas, and greenways. Vacant lots can also be developed into community gardens that provide fresh fruits and vegetables to residents in the neighborhood.

This document is designed to help guide you through the process of determining ownership of properties; learning how to acquire access to properties and providing points to consider before investing in vacant lots.

This is not intended to be a comprehensive guide to land use and acquisition, but only to help you get started as you think about the vacant lots in your neighborhood, and as you think about using the vacant space for a community garden.

We hope you find this beneficial.

DETERMINING OWNERSHIP OF LAND

Possibly the most important factor in choosing a site is to determine who owns it and whether the owner will allow you to buy, lease, or use it. Vacant property is either owned privately or publicly. There are three public agencies that own land in Detroit: the city, the county treasurer, and the state land bank. To determine which lots are owned by a public agency, refer to the map of publicly owned land.

To determine private ownership, visit the City of Detroit's website and follow these steps:

1. Click on Online Services > Property Tax.
2. Accept the Terms of Service. You will then be directed to BS&A, a third party internet services provider.
3. Complete the free registration with BS&A. They will send a password to your email account.
4. Login once you have received the confirmation of registration and password.
5. Scroll down to Wayne County, and select the City of Detroit. You will be redirected back to the City's website.
6. Midway down the page, where it says "There are several ways to find a property. Click **here**," click on the word "here."
7. Now enter the street name and number. You can enter a range of numbers, if you don't know the exact address of the property. You will be given the owner's name for free but you must pay \$2 for the owner's mailing address.

Rather than choosing a lot first and then determining ownership, you may want to search for a lot that is owned by a particular government agency, depending on whether you want to buy, lease, or simply use the lot. The following section outlines each agency's policies towards buying, leasing, and using lots as well as the advantages and disadvantages of these options.

WORKING WITH PRIVATE OWNERS

When working with private owners, try to obtain a lease or agreement to use the land for at least three years so that you are guaranteed enough time to reap some benefit from your efforts. Be aware that the owner can refuse to renew the lease after the initial term.

Private owners may be concerned about liability in the event that gardeners or visitors sustain injuries on the site. You can offer to include a waiver in the lease that states that the owner will be “held harmless” for injuries that result from negligence. Gardeners and volunteers would then need to sign a waiver stating that they will not sue the landowner.

ALWAYS CONSULT A LAWYER FOR DRAWING UP TERMS OF THE LEASE

WORKING WITH THE CITY

Purchasing Lots: The City of Detroit sells vacant lots with property lines of less than 50 feet for \$150-500 to adjacent homeowners and others in the neighborhood.

Leasing Lots: No formal leasing option exists with the City.

Using Lots: The Garden/Adopt a Lot program allows applicants to use a city lot for gardening and/or landscaping; however you must be prepared to vacate the lot at any time if the City chooses to sell it. You are not allowed to erect any permanent structure on the property, such as a tool shed. Temporary fencing is allowed.

WORKING WITH THE COUNTY

Purchasing Lots: The Wayne County Treasurer’s Office sells vacant lots for \$500 each. (Contact: Bryan Gibson, Manager 313. 244. 5962)

Leasing Lots: The County Treasurer does not have a formal leasing option.

Using Lots: The Wayne County Treasurer may make an informal agreement to allow use of the land for one growing season and possibly longer. (Contact: Bryan Gibson, Manager 313. 244. 5962)

WORKING WITH THE STATE

Purchasing Lots: The Michigan Land Bank (MLB) sells lots for \$250, \$500 if the lot is wider than 50ft.

Leasing Lots: The MLB will lease a lot for a community garden for \$50 for one-year with the option to renew.

Using Lots: The MLB has no use program. For MLB-owned land, leasing is a better option because it guarantees use for at least one year.

THE ADVANTAGES AND DISADVANTAGES OF OWNING VACANT LOTS

Owning the site gives the greatest degree of stability and control over its use. You can make long-term investments such as fencing, tool sheds, and benches without securing the owner's permission or dealing with the uncertainty of whether you'll be able to use the site one or two years down the road.

On the other hand, purchasing a lot adds a significant upfront cost. Once you own the site, you will be responsible for paying property taxes, which average around \$75 a year for vacant lots in Detroit. Failure to pay taxes will result in foreclosure and loss of the property.

Owners also have to address the issue of liability for injuries that might occur on the site. Requiring that gardeners and volunteers sign a "hold harmless" waiver is one way of minimizing your liability. For additional coverage, you may want to purchase liability insurance. If you team up with an insured organization, such as a church or social service agency, liability for any injuries or harm might be covered under their existing policy.

THE ADVANTAGES AND DISADVANTAGES OF LEASING VACANT LOTS

Leasing provides less stability than owning but cuts down on the upfront costs of starting a garden. The ideal situation is to secure a lease for at least a three-year period. You can try your hand at gardening without investing a significant amount of money. If the project takes off, then you may be able to purchase the lot in the future or extend the lease beyond the initial term. The downside of leasing is that access to the land beyond the initial term is not guaranteed. If the owner decides to sell the land, you may have to start the process of finding and preparing a site all over again.

THE ADVANTAGES AND DISADVANTAGES OF USING VACANT LOTS

The option of using the land without a formal lease agreement provides the most flexibility but also the most uncertainty. You may be able to use the land for free, as in the case of County and City land. However, you could be asked to vacate at any time, even before the end of the first growing season. You should consider this possibility when determining whether the investment of time, materials and energy to preparing and developing the site is worth it.

FIGURING OUT THE BEST LOCATION FOR A GARDEN

The site's surroundings will affect how safe and successful it will be. A good location is one with supportive neighbors that is easily accessible to people committed to the project. Having cooperative neighbors can help keep the site secure since they can informally monitor the garden and deter vandalism. Check with neighboring residents to see how they feel about having a garden next door. In addition to supportive neighbors, it is best to have a small group of committed gardeners who live nearby so that they can come and go conveniently and tend to the garden on a regular basis.

Abandoned buildings near the garden pose a safety hazard, especially for children who may want to work or play there. If there is an abandoned building on the block, you may want to consider alternative sites, contact the owner about demolition, or have volunteers

use extra caution. You know your community better than anyone. Use that knowledge to pick a location that will make the garden a success.

Consistent access to water is essential. During the growing season, plants should be watered every day that it doesn't rain.

A few options exist. You could get permission from a neighbor to use their water tap. The nature of this agreement, whether formal or informal, compensated or donated, should be worked out on a case-by-case basis. A more established gardening organization might want to draw up a legal document that includes specifications about how often the water will be used, how much they will pay for the water, and for how long a period of time. You may find a neighboring homeowner who is very supportive and wants to provide water free of charge. Keep in mind that without a legal document, the agreement can be terminated at any time. Also keep in mind that a supportive neighbor may move and be replaced by someone less interested in supporting the garden.

City fire hydrants may be another option for watering your garden. Some Detroit gardens have obtained permission from the City to tap a nearby fire hydrant. In some cases, the City has even agreed to donate the water free of charge. Contact the Mayor's Office to see about arranging this type of agreement.

A third option for sites where there was once a building might be to have a new water meter installed and connect with existing water pipes on the site. Contact the Mayor's Office and the City Water and Sewerage Department for information about this possibility.

Water arrangements have to be made on a case-by-case basis. Having a few options at each site helps lessen the chance that your garden will be left high and dry.

SOIL TESTING

Soil testing is critical to creating a healthy and productive garden. A soil test can identify soil contaminants such as lead. It can also test for nutrients in the soil and determine how much fertilizer is needed for good crop growth.

The University of Massachusetts—Amherst offers several different types of soil tests. The Standard Soil Test (\$9 plus shipping) covers heavy metals like lead, soil pH, and nutrients. Michigan State University Extension also provides testing for pH and nutrients but not for heavy metals. (See Vegetable Garden Resource section for contact information)

VEGETABLE GARDEN RESOURCES IN DETROIT

The Garden Resource Program Collaborative
c/o The Greening of Detroit
1418 Michigan Ave

Detroit, MI 48216
(313) 237-8736
www.detroitagriculture.org

The Garden Resource Program, a collaborative effort of The Greening of Detroit, Detroit Agriculture Network, EarthWorks Urban Farm, and Michigan State University provides resources, education, and support to family, community, and school vegetable gardens in Detroit, Hamtramck, and Highland Park.

Urban Roots is a 9-week community gardener training program, designed to train budding community leaders in horticulture as well as community organizing skills. Urban Roots students are engaged in hands-on and practical lectures and activities which give them the experience, skills and confidence they need to create and sustain vibrant community and school gardens.

For more information or to enroll in the Garden Resource Program or Urban Roots visit WWW.DETROITAGRICULTURE.ORG.

Michigan State University Extension
5454 Venoy Rd
Wayne, MI 48184
(734) 727-7238

MSU offers a 12-week master gardener class where volunteers donate their time and learn how to garden in the process. MSU also offers a soil testing kit that tests the pH balance and the level of certain nutrients in the soil.

University of Massachusetts
Soil and Plant Tissue Testing Lab
West Experiment Station
682 North Pleasant Street
University of Massachusetts
Amherst, MA 01003
(413) 545-2311
<http://www.umass.edu/plsoils/soiltest/>

The University of Massachusetts provides mail-order soil testing to identify heavy metals as well as nutrients that affect crop growth.

PLANTING AND ENVIRONMENTAL EDUCATION PROGRAMS

The Greening of Detroit
1418 Michigan Ave.
Detroit, MI 48216

(313) 237-8733

www.greeningofdetroit.com

The Greening of Detroit's mission is to "guide and inspire the growth of a 'greener' Detroit through planting and educational programs, environmental leadership, advocacy, and by building community capacity." They work collaboratively with community partners in Detroit, Hamtramck, and Highland Park to plan, implement, and maintain plantings on public property. These plantings range from "peas to trees" and include street trees, tree and plant nurseries, orchards, greenways, park improvements, neighborhood beautification initiatives, and schoolyard habitats.