

RETURNING TO THE LAND: PATHWAYS AND BARRIERS TO ACCESSING LAND IN CHICAGO

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Our current food system is flawed but for many, provides the simplest path to access. A blind reliance on these seemingly efficient systems may not be the best option, rather just the easiest one. The issue largely boils down to accessibility or a lack thereof. It is essential to consider the entire process of obtaining food ranging from proximity, cost, freshness and variety. The concept of Food Apartheid encompasses a holistic view of all the “social inequalities” that plague our system and promotes a greater dialogue on how to implement these practices in the long term. [1]

A systemic re-imagination is not a new phenomenon but it is necessary now more than ever. The COVID-19 pandemic has both exacerbated and exposed the inequities and shortcomings of our current food system. Creating a more equitable food system better addresses issues of accessibility and also works to shift power structures, placing greater autonomy and trust with communities.

This prompts the question: *what did those who came before us rely upon before the dominance of a system that largely depends on faulty supply chains and profit?* The answer lies in the very lands of the communities in which we reside. Returning to the lands, not just by physical proximity, but through a more intertwined relationship between land and community, is a form of resistance and resilience. Moving beyond a reliance on traditional food systems can be achieved through equitable land access. The challenge arises in the gap between the information people have and the information people need.

The Chicago Food Policy Action Council’s Productive Landscapes initiative transforms underutilized public lands into productive multipurpose landscapes by creating opportunities for local healthy food production, community engagement, economic and resource development and environmental improvement. [2] Centered on the notion that public resources must be employed to create public benefit, this initiative utilizes community partnerships, collaboration, mapping and research to establish pathways to utilize these spaces for community benefit.

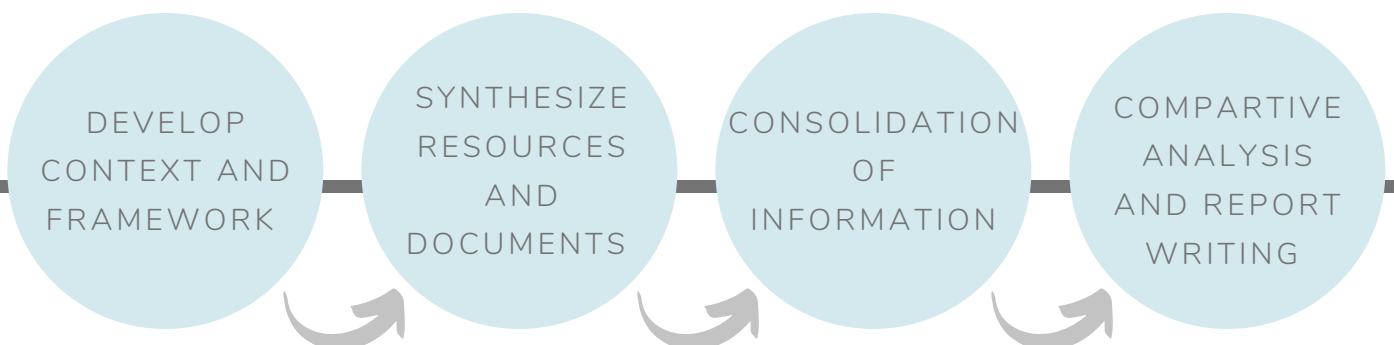


An extension of the efforts of the Productive Landscapes initiative, this research analyzed sixteen public land holding entities to facilitate the process of land access for agriculture initiatives in Chicago. The research centered questions such as, what are the clear pathways and barriers to land access as well as what has worked in the past to serve as a model for future work. These entities vary in size and scope but all have a stake in the ownership and use of Chicago's public lands (see Appendix).



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This report comprises the five months of qualitative research on land access in Chicago. To ensure a proper understanding of each public land holding entity, a cyclical research approach was used. At each research stage, the policies, procedures, resources and pertinent case studies of each entity were analyzed. The cyclical framework ensured an in depth analysis while simultaneously generating a comparative evaluation between entities. From this research emerged many overlapping themes and trends that are not only applicable to Chicago, but provide important lessons that can be applied to other cities and urban areas in the country.



PATHWAYS TO ACCESSING LAND

In identifying the viable pathways to accessing land, this research analyzed the policies, procedures, resources and pertinent case studies from each public land holding entity. From this qualitative research emerged five vital elements to cultivating successful pathways to accessing land: through Programs and Initiatives, Collaboration, Land Tenure and Ownership, Institutional Informality and Transparency.



PROGRAMS AND INITIATIVES

One of the simplest ways to access land is through established programs and initiatives. A program or initiative provides clear and consistent guidelines that streamline participation. Without the establishment and codification of these pathways, accessing land through programs and initiatives would largely boil down to a guessing game. This avenue is particularly unique due to its iterative nature that enables these opportunities to be continually utilized and improved over time. In the same way, a downside of this cyclical design is there are often rigid requirements and specific windows of opportunity for participation. Incorporating clear and accessible information ensures more equitable access.

While many of the public land holding entities are autonomous in that they primarily operate within their own sphere, many innovative pathways create a wider impact through their collaboration with other entities, agencies, organizations, and community groups.

Collaborative pathways allow entities that do not ordinarily have a strong stake in urban agriculture or land access initiatives to become more involved in these processes. The oversight and resources of multiple actors ensures a more durable framework that is better equipped to succeed and last but a disadvantage of this element is that many of these avenues can be limited to the particular goals of the participating partners, creating a narrow opportunity for accessing land.

Nonetheless, these collaborative pathways to accessing land facilitate greater participation and scope through their multi-pronged approach to planning, funding and management.

LAND TENURE AND OWNERSHIP

All of the public land holding entities hold varying relationships to the lands they oversee but many entities cultivate a more direct and stable method of accessing land - through land tenure and ownership. This pathway varies in process and requirements but is one of the most stable and guaranteed ways to access land. Unlike collaborative pathways to accessing land, these pathways require significant financial and organizational resources from the groups looking to acquire these lands. When land tenure and ownership is utilized in tandem with collaborative efforts, the significant barriers to access can be diminished. The pathway of tenure and ownership of public land contributes longevity, security and a significant degree of flexibility in what these lands can be utilized for.

INSTITUTIONAL INFORMALITY

Within the sixteen public land holding entities was a great variance between the entities' pathways to accessing land in regards to their required level of formality. Some entities required groups to be a designated 501(c)(3) nonprofit to qualify for certain pathways while others only required a couple of community members. Figure 1 provides a visual representation of the range of institutional formality levels among the entities. *Most Formalized* refers to the pathways to accessing land that require the most formalized groupings and *Least Formalized* refers to the pathways to accessing land that require the least formalized groupings.

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In centering equitable access, it is essential to consider the relationship between required formality and institutional barriers. The public land holding entities that require more formal groupings have more institutional barriers while the entities that require more informal groupings have less institutional barriers. These barriers include but are not limited to inaccessible eligibility requirements and financial limitations. More informal pathways eliminate institutional barriers and invite a broader pool of eligible groups, furthering equitable land access.

FIGURE 1: FORMALITY SCALE



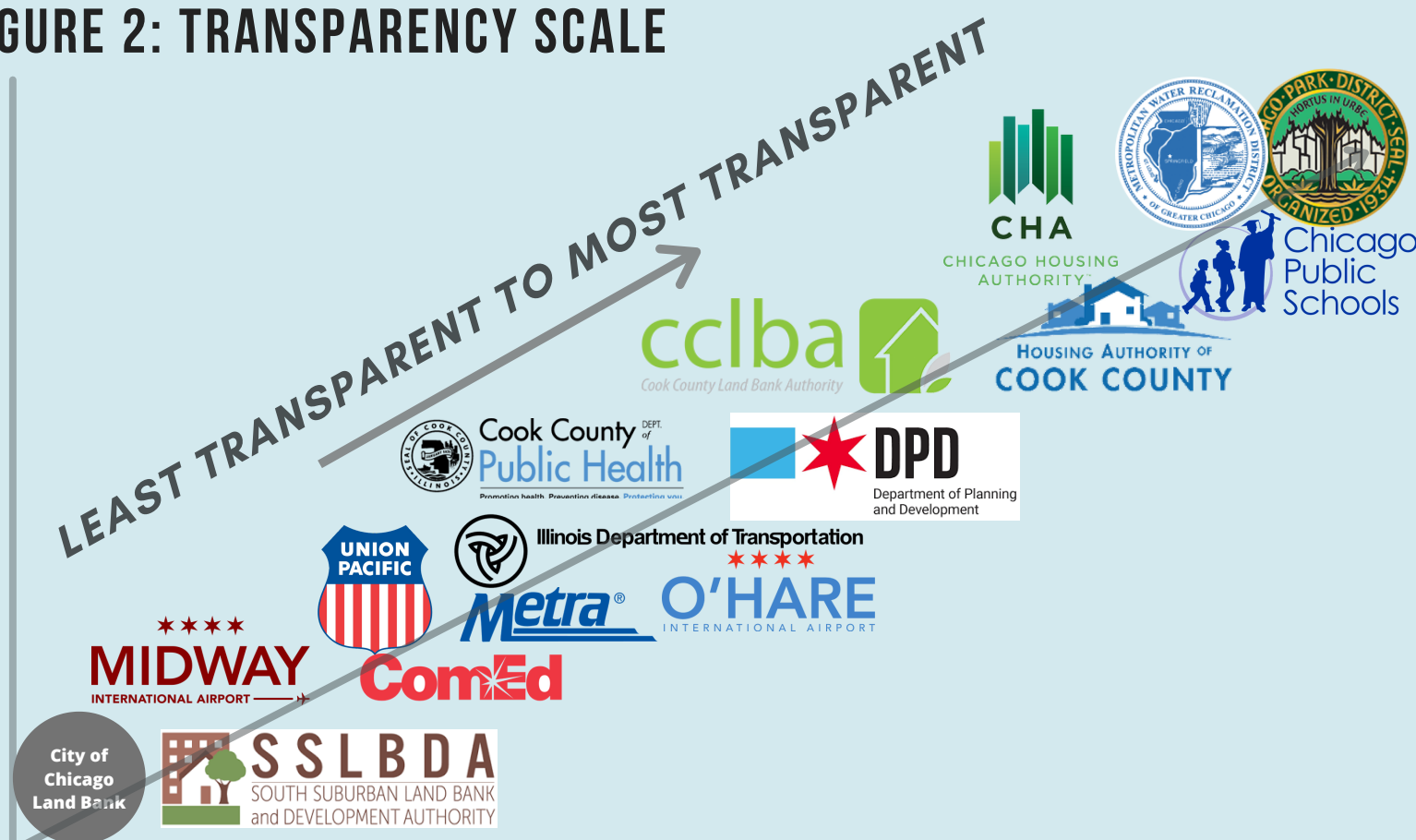
There was also a great variance among the sixteen public land holding entities in their levels of transparency, or availability of information. Figure 2 provides a visual representation of the varying degrees of transparency among the entities. *Most Transparent* refers to the entities that have clearly laid out their information, programs, initiatives and requirements while *Least Transparent* refers to the entities that have little to no available or up to date information on their programs, initiatives and requirements.

With the COVID-19 pandemic, it is more essential, now more than ever, to have the accurate information, processes and requirements readily available in multiple forms. Not everyone may have the access or ability to view the necessary materials

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through traditional communication channels. Thus, there should be additional considerations that ensure equitable access to the necessary information. Low levels of transparency create information blockages that hinder the process of accessing land while a high level of transparency ensures that there are multiple ways to access information. Transparency is an essential element in all endeavors to access land because the more transparent an entity is, the better equipped it is to provide accurate information and meet the changing needs of the community, both facilitating equitable land access.

FIGURE 2: TRANSPARENCY SCALE



CASE STUDIES

These case studies demonstrate the benefit of fusing the five vital elements of pathways to land access: Programs and Initiatives, Collaboration, Land Tenure and Ownership, Institutional Informality and Transparency. See Appendix for more information on viable pathways to land access from the sixteen public land holding entities.

SPACE TO GROW

Space to Grow is an established program that “transforms Chicago schoolyards into beautiful and functional spaces to play, learn, garden and be outside” while incorporating “special design elements to help reduce neighborhood flooding.”[3] Some of the innovative aspects include outdoor classrooms, vegetable gardens, community spaces, play spaces for children, rain gardens and permeable surfaces to absorb excess rainwater.[4] Space to Grow is run by the Metropolitan Water Reclamation District of Greater Chicago (MWRD), Chicago Public Schools (CPS), the Department of Water Management, Healthy Schools Campaign and Openlands. [5] MWRD, CPS and the Department of Water Management provide the necessary financing as the Capital Funding Partners while Healthy Schools Campaign and Openlands serve as the Managing Partners.[6]

The institutional collaboration of these five entities provide an extensive amount of funding and management - two essential factors that largely contribute to the success and maintenance of the program. There is not only collaboration between entities for the operation of the program, but also a collaborative effort between the Space to Grow Team and the surrounding community. The whole “school community takes part in” the planning stages in “which school staff, students, parents and other community members provide a vision for their schoolyard.” [7] While this pathway does not necessarily provide a way to land tenure or ownership, once these schoolyards are renovated, they serve as a space not just for school time use but as an open community space. Additionally, the Space to Grow program guidelines, standards and points of contact are clearly laid out on their website for schools to inquire. [8] Although only schools may participate, Space to Grow is a standout program that creates collaborative, sustainable and productive spaces that benefit the whole community.

THE COMMUNITY GARDEN PROGRAM

The Chicago Park District utilizes their established programs and initiatives to make their public lands more accessible to the community. Their Community Garden Program provides land for community garden groups who want to start a new community garden or expand an existing one. In terms of group formality, to begin a new community garden, there only must be a garden group of at least two people, making this pathway informal and accessible. The steps to apply for this program are clearly outlined on the Chicago Park District website, outlining the necessary forms and other guidelines of the program. [9] Both processes have a high level of transparency with the steps clearly laid out for interested parties. This transparency extends beyond just the Community Garden Program and is reflected across many of the Chicago Park District's programs and initiatives.

For this program, the Chicago Park District provides the land but the community garden group is responsible for everything else, including funding and maintenance. This can provide a challenge for groups who may not have the access to the necessary funds and resources to fund and maintain a garden. In the future, The Community Garden Program and similar programs with isolating requirements can introduce a greater level of interagency collaboration to address these barriers. Still, through this Program, organizations like Urban Growers Collective (UGC) have been able to create more productive spaces. UGC's Jackson Farm and Community Allotment Garden began in 2006 as part of the Community Garden Program and has been successfully running ever since. [10]

RECOMMENDATIONS

The research of these sixteen public land holding entities is the first step to promoting more transparent land access policies and procedures in Chicago. Below are five recommendations to simplify future pathways to accessing land. An encompassing of one or more of these elements facilitates pathways to accessing and using land that are more accessible, equitable, transparent and less daunting.

- 1. Create and utilize programs and initiatives.*
- 2. Incorporate collaboration between entities, organizations, agencies and communities.*
- 3. Facilitate the processes of land tenure and ownership.*
- 4. Limit institutional barriers by encouraging group informality.*
- 5. Achieve a high level of transparency in a variety of formats.*

LOOKING TO THE FUTURE

Ensuring equitable land access begins but does not end with these five recommendations. Analyzing the pathways as well as the barriers to accessing land is essential in creating systems and processes that are more resilient to the inequities exacerbated by the COVID-19 pandemic. This preliminary research serves as a framework and starting point for future work to be done as part of the productive landscapes initiative.

Future research can dive deeper into some of the gaps of this research. For example, future research can focus on the identification and cultivation of clear pathways to accessing land specifically for Black, Indigenous, People of Color (BIPOC), who are often excluded from institutional power structures. Having designated pathways for BIPOC land access and use can facilitate the equitable transfer and use of publicly owned lands. Another focal point for future work is the creation of


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clear information and resources that highlight the comprehensive process of land access and use. This research focused on the transparent pathways to accessing publicly owned lands but equally as important is a consideration of the necessary processes to occur after these lands are secured. Renewal requirements, leasing standards, identification of institutional resources and an awareness of other public land maintenance standards are all barriers in maintaining access to land.


Long term, this research could evolve into a comprehensive resource that consists of essential information and resources to access land. A model of producing transparent information at multiple stages of land use is the Vermont Law School's Farmland Legal Access Toolkit. This toolkit, although not explicitly dedicated to productive landscapes, is a comprehensive resource that acts as a one stop shop for a wealth of information and resources on the "access, transfer and

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conserv[ation] of farmlands.” [11] This toolkit can serve as a model for future iterations of this land access research through the productive landscapes initiative. This resource is a prime example of how valuable the accessibility of information can be in creating change within our restrictive systems.




The banner features a background image of a green field with a barn and silo. At the top center is a white icon of a barn and silo. Below the icon, the text "FARMLAND ACCESS" is written in a bold, sans-serif font, with "LEGAL TOOLKIT" in a smaller font underneath, flanked by horizontal lines. Below the title, the text "Helping farmers and landowners affordably access, transfer, and conserve farmland." is centered.



Leasing

Discover how farm leasing can help new farmers access land and build equity.


[→](#)



Access

Explore creative arrangements for making farmland access more affordable.

[→](#)



Transfer

Understand methods and strategies for transferring a farm to the next generation.

[→](#)

The
Metropolitan
Water
Reclamation
District of
Greater
Chicago
(MWRD)

The Metropolitan Water Reclamation District of Greater Chicago (MWRD) is a large scale entity that has their hands in many different buckets. Under MWRD's Green Infrastructure Initiative lies the Space to Grow Program in which MWRD is one of the funding partners. Similarly, MWRD has autonomous projects like their Stormwater Management Partnership Program, as well as their innovations in Biosolids and EQ Compost. MWRD also provides permits and opportunities to lease lands through their interactive Real Estate Atlas.

Chicago
Park
District

The Chicago Park District's involvement ranges from their Community Garden and Harvest Gardening Programs to their different permits. The Park District also works with other organizations to build collaborative programming. Urban Growers Collective (UGC) has partnered with the Chicago Park District to establish the Jackson Park Urban Farm and Community Allotment Garden and the Grant Park, "Art on the Farm" Urban Agriculture project, both successful endeavors that have been running for over ten years.

Chicago
Public
Schools

Under the umbrella of Chicago Public Schools' Office of Student Health and Wellness (OSHW), falls initiatives like the incorporation of school gardens and the Farm to School initiative. Additionally, Chicago Public Schools runs a Service Learning Partner Program and is one of the funding partners of the collaborative Space to Grow Program.

Cook
County
Dept. of
Public
Health

The Cook County Department of Public Health's (CCDPH) Healthy Hotspot Program encompasses many innovative projects like their Healthy Hotspot Map that locates community gardens, farmers markets and other healthy hotspots. The CCDPH also collaborated with the Housing Authority of Cook County to create the Community Garden at John Mackler Homes in Chicago Heights. Additionally, one of the priority initiatives under the The Cook County Department of Public Health Strategic Plan is to "strengthen food system sustainability and food security." [12] In this way, the CCDPH is notable in their ability to act both as a collaborator, a connector of information and a leader in envisioning a better future.

Cook
County
Land Bank
Authority

The Cook County Land Bank allows folks to view and purchase vacant lands, residential homes, commercial properties and industrial properties through their Interactive Property Viewer Tool. The Cook County Land Bank also has their Tax Certificate Program in which folks can acquire certain properties with an extinguishment of a property's backtaxes.

City of
Chicago
Land Bank

The City of Chicago Land Bank proved difficult to find much information about. Their website and other up to date information was not able to be found through the research.

South
Suburban
Land Bank
Development
Authority

The South Suburban Land Bank Development Authority (SSLBDA) has the appropriate infrastructure for accessing land through their Properties for Sale Database and Property Purchaser Application but these resources are very outdated. Despite their outdated sites, it still seems that the SSLBDA is still up and running due to their recent successes like with the Wine Bar in Blue Hill.

Housing Authority of Cook County

There are pathways to accessing and utilizing land through the Housing Authority of Cook County (HACC) but many of the HACC's established programs and initiatives primarily focus on securing housing, like their Housing Choice Voucher and Community Choice Programs. Still, there is room for various objectives to be met. Although they focus primarily on housing, the HACC collaborated with the Cook County Department of Public Health to create the Community Garden at John Mackler Homes in Chicago Heights.

Chicago Housing Authority

The Chicago Housing Authority (CHA) holds the Office of the Ombudsman which serves as the "liaison between residents, property management, and/or community stakeholders" and has facilitated the creation of projects to improve the wholistic living experiences of folks utilizing CHA's services, like the creation of one a Windy City Harvest Farm, The Legends South Farm & Community Allotment Gardens.^[13] Additionally, the CHA successfully collaborates with organizations like Urban Growers Collective (UGC), to produce projects like the Roosevelt Square Youth Farm and the Altgeld Gardens Community Farm.

ComEd

ComEd has several opportunities for folks to access and utilize their public lands. The Green Region Grant Program is a collaboration with Openlands for "regional governmental agencies in Northern Illinois to support their efforts to plan for, protect, and improve natural places in their community..." through "...creativity and collaboration with nonprofits, and [a] focus on...climate resiliency."^[14] ComEd also offers to locate available real estate through their customized reports.

Illinois Dept.
of Transpor-
tation

The Illinois Department of Transportation's (IDOT) most direct pathway to accessing land is through their Excess Property Sales. These lands are auctioned off through their property catalogue that is routinely updated as the surplus lands become available. The lands listed in the online catalogue include information such as the asking price and contact information for a particular property.

Metra

Metra offers leasing and vendor opportunities as well as vacant lands through their Real Estate and Leasing page. Additionally, Metra's Community Enhancement Program aims to update and modernize public lands through proposal submissions for changes like Art Projects, Painting and Community Enhancements and Landscaping and Gardening Projects.

O'Hare
Intl.
Airport

The O'Hare International Airport houses many innovative methods of working within already existing infrastructures to create more productive and green spaces. Some of these innovative cases include Vegetated Roofs, Water Efficient Landscaping, The O'Hare Apiary, and the indoor Aeroponic Garden. Additionally, O'Hare falls under the scope of The Chicago Department of Aviation's Sustainable Airport Manual (SAM), that serves as a framework to ensure future work that will make better use of existing structures.

Midway
Intl.
Airport

Similar to the O'Hare International Airport, the Midway International Airport houses many of the same innovative projects that work within an established infrastructure like their Vegetated Roofs and Water Efficient Landscaping. Midway also falls under the scope of The Chicago Department of Aviation's Sustainable Airport Manual (SAM).

Union
Pacific
Railroad

Union Pacific Railroad has several initiatives for accessing lands. Their pathways include applying for a local grant through [The Community Ties Giving Program](#), submitting an [inquiry](#) for their [Public Project Initiative](#) and [purchasing excess lands](#) by sending a completed [Property Sale Application](#) to the appropriate [Real Estate Manager](#).

The Chicago
Dept. of
Planning
and
Development

The Chicago Department of Planning and Development is a hub for several land acquisition projects. In addition to their Market Rate Land Sales, the Department also houses their Below Market Sales through their [Adjacent Neighbors Land Acquisition Program \(ANLAP\)](#). Like other entities, the Department also has resources that contribute to the general knowledge of public land in Chicago like their [Open Space and Sustainability Plans](#), [Chicago Zoning Ordinance and Land Use Ordinance](#) document, a [General Chicago Landscape Ordinance FAQ](#) and a [Urban Ag FAQ](#). Additionally, the Department also houses a [Sustainable Development Policy Handbook](#) and a [Green Healthy Neighborhoods Report](#) that contribute to the reimagining of public lands in Chicago.

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