
SECURING LAND FOR COMMUNITY BENEFIT:

# A Guide to Site Control

THE CONSERVATION FUND

# Contents


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PLANT A GARDEN

# Acknowledgment


The Conservation Fund gratefully acknowledges the Bezos Earth Fund for its generous support of this national resource guide. This publication was made possible through the Bezos Earth Fund's investment in organizations and community leaders working to create greener, healthier, and more resilient communities across the United States.

This guide was developed with support from the Bezos Earth Fund's Greening America's Cities program, a national initiative that expands equitable access to parks, trees, community gardens, nature trails, and other urban green spaces. The program began by supporting community-led projects in Albuquerque, Atlanta, Chicago, Los Angeles, and Wilmington, Delaware, and has since expanded to six additional cities nationwide. Through partnerships with community-based organizations, local governments, technical experts, and philanthropic institutions, it supports efforts ranging from community engagement and project planning to land acquisition, design, construction, workforce development, and long-term stewardship.

The lessons, practices, and resources presented in this guide reflect the experiences of community organizations and practitioners advancing equitable urban conservation and community development.

We extend our sincere appreciation to the Bezos Earth Fund for recognizing the value of community-driven solutions and supporting the creation of a resource designed to share knowledge nationally. We hope this guide provides community organizations, public agencies, funders, and other partners with practical information to help transform promising ideas into enduring community assets.

*The views and conclusions presented in this publication are those of The Conservation Fund and do not necessarily reflect the views of the Bezos Earth Fund.*


THE CONSERVATION FUND

# Overview of The Conservation Fund

**The Conservation Fund is a U.S. nonprofit organization dedicated to protecting land, water, and wildlife while fostering sustainable economies and vibrant communities. With a dual charter to pursue environmental preservation and economic development, The Fund believes environmental protection and economic vitality must work together. The Fund works with community and government leaders, businesses, landowners, conservation nonprofits and other partners to integrate economic and environmental objectives. Since its founding in 1985, the organization has leveraged innovative financing and rapid land acquisition to secure over 9 million acres across all 50 states—ensuring nature and people thrive together.**

## Urban Conservation and Community

The Conservation Fund's Urban Conservation & Community program is grounded in a simple belief: **communities are strongest when they have lasting access to land and green space that serves public purpose.** Across cities and neighborhoods, we work alongside community-based organizations, local governments, and resident leaders to turn locally driven ideas into permanent community assets—places that improve health, strengthen resilience, and reflect the identity and priorities of the people who live there.

Given The Conservation Fund's dual charter to pursue environmental preservation and economic development, our urban conservation and community work is increasingly focused on helping communities secure durable and sustainable forms of **site control**. We recognize that long-term impact depends not only on planning or programming, but on ensuring that land remains available for community benefit over time. This can take many forms, including direct land acquisition and ownership by non-profits or local governments, permanent site control agreements, long-term renewable leases, conservation easements, or other long-term rights that protect land for public use and stewardship.

Our role is to bring conservation and real estate expertise, catalytic funding, and strategic partnerships together in service of community goals. We help community groups identify opportunities, navigate complex land transactions, conduct planning and design, and connect to national networks of investment and technical assistance. In doing so, community organizations build capacity to lead projects that are environmentally sound, economically meaningful, and rooted in local priorities.

## Urban Conservation and Community Goals

**Secure land for lasting public benefit** by helping communities gain durable, sustainable control of the places and infrastructure that shape their future

**Advance innovative models of community ownership and governance** that give residents a meaningful voice in how urban green spaces are created, protected, and sustained.

**Strengthen community-based leadership** by equipping local organizations with the tools, resources, and partnerships needed to activate, manage, and steward transformational green spaces.

**Drive investment toward historically under-resourced communities** to help repair inequities, expand access to nature, and ensure that the benefits of conservation reach the people and places that need them most.

# How to Use this Resource Guide

**This guide was developed by The Conservation Fund's Urban Conservation & Community (UCC) program, informed by the experience of community partners, practitioners, and national leaders working at the intersection of land, equity, and community development. It is intended to help urban communities explore, evaluate, and pursue durable forms of site control that can support long-term community goals. Like many effective toolkits, it is designed to help users assess their starting point, identify gaps in readiness, and determine practical next steps based on local context and capacity.**

This guide is meant to be a **starting point, not an end point**. It is not a one-size-fits-all blueprint, nor a substitute for community leadership, legal advice, technical assistance, or local decision-making. Rather, it is a resource to help community-based organizations ask the right questions, better understand their options, and prepare for the complexity of securing long-term control of land and infrastructure. The strongest guides do not offer a single formula; they help communities build knowledge, strengthen readiness, and move forward with greater clarity and confidence.

Throughout the guide, readers will find practical frameworks, case studies, and real-world examples that illustrate both the opportunities and challenges involved in pursuing long-term site control. These examples reflect a range of approaches, including acqusition of land in fee, conservation easements, long-term land-use agreements, leases, licenses, and other forms of legal agreements to govern land management. Use these materials to learn from others, compare models, and identify strategies that may be adapted to your own community's priorities, partnerships, and pace of work.

## What is "Site Control"?

**By "site control," we mean a durable legal right to use, improve, manage, or protect a specific piece of land for an intended purpose. In practice, site control means that a community organization, public agency, or other project partner has a documented agreement that allows it to move from early planning and due diligence into implementation, long-term use, and stewardship. Depending on the project, site control may be temporary, shared, or permanent.**

For community-based conservation and neighborhood projects, site control can take many forms. It may mean securing ownership to a vacant lot for a future community garden, obtaining a long-term commitment to preserve open space as part of a redevelopment project, negotiating access to privately owned land for trail or habitat improvements, or acquiring property outright to expand a park, greenway, or other community asset. The right approach depends on the project's goals, timeline, financing, and long-term stewardship needs.

In general, the more permanent the project, the greater the need for a more durable form of site control. Short-term permission may be enough for cleanup, testing, or pilot activities. But projects that involve permanent improvements, capital investment, conservation protections, or long-term community use usually require stronger and more secure legal arrangements.

**Common forms of durable site control include:**

**Land acquisition:** Purchasing or otherwise obtaining ownership of property. This is often the strongest form of site control because it gives the owner long-term authority over the land.

**Easements and Covenants:** Legal rights or restrictions tied to the land that can protect access, conservation values, or certain uses over time.

**Long-term Land Use Agreements:** Contracts, leases and other agreements, often lasting decades and/or renewable, that allow specific uses of a property for long-term improvements and community benefit —such as access, planting, or programming— without transferring ownership or full control. Agreements give a tenant the right to use and occupy land.

**Stewardship and Management Plans:** Long-term plans that guide how a site will be maintained, monitored, and protected over time.

There is no single model that works for every project. The right form of site control depends on what the community is trying to accomplish, how permanent the project will be, who will own and manage the land, what level of investment is planned, and how the site will be protected over time. In many cases, successful projects combine multiple tools, such as ownership plus an easement, or a lease plus local zoning protections, to create a more durable foundation for long-term community benefit. This type of layered protection can ensure multiple parties are invested in the site control plan, protections,  creating a more durable foundation for long-term community benefits.


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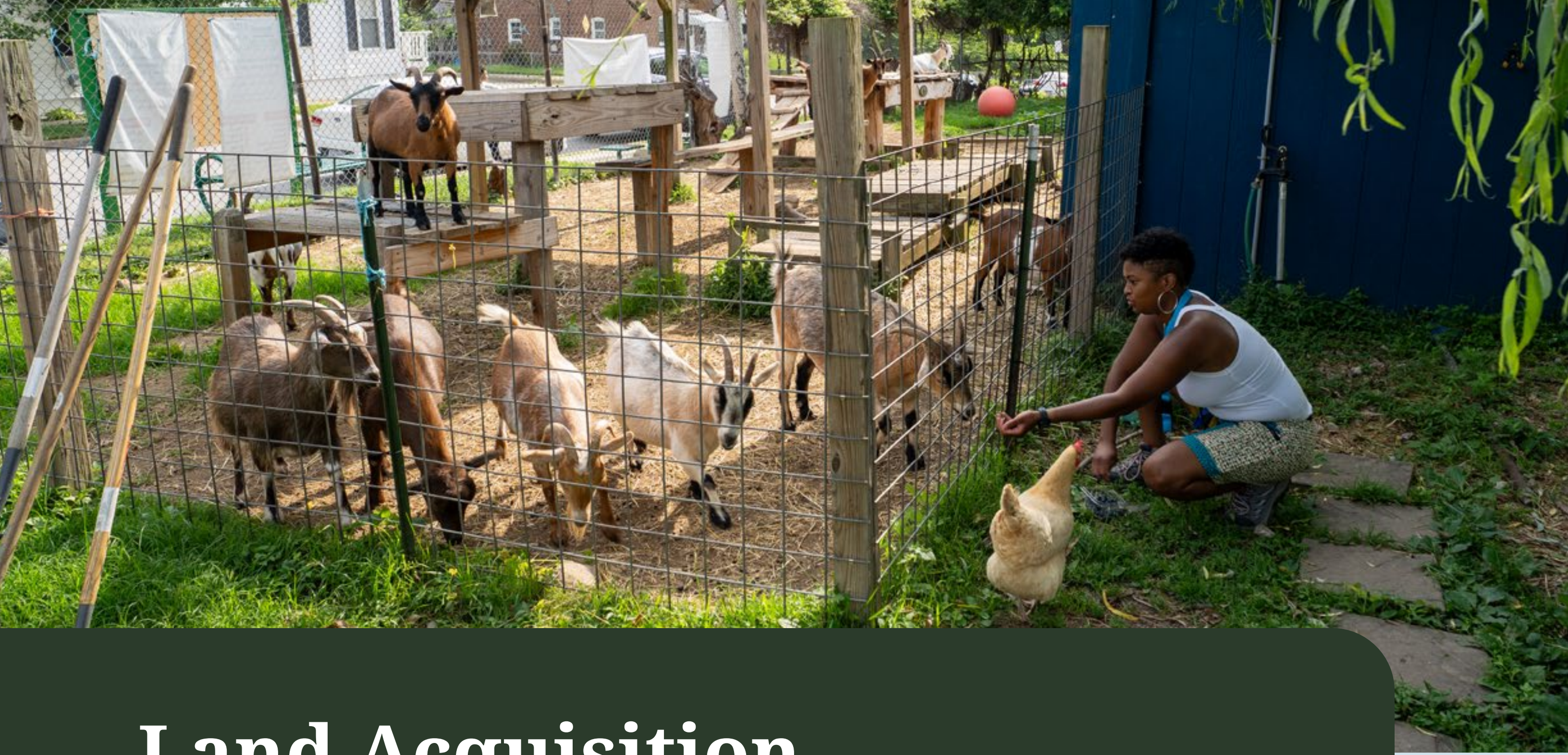

# Land Acquisition

**Land acquisition is the transfer of ownership in real property through purchase, donation, other negotiated transfer of title. This is often the strongest form of site control because it gives the owner the clearest authority to plan, improve, manage, and protect the property over time. Public agencies frequently use acquisition for parks, trails, infrastructure, and other permanent public-benefit projects. Some public agencies have inventories of publicly-owned surplus land that they intend to dispose and could be available for community groups to acquire.**

## Pros of Land Acquisition for Community Conservation

- **Creation and Permanent Protection of Urban Green Space:** Land acquisition can secure vacant, underutilized, or vulnerable land for long-term public benefit, transforming it into parks, trails, community gardens, food forests, tree canopy, wetlands, and other conserved green spaces.

- **Climate Resilience and Nature-Based Solutions:** Acquiring land for conservation allows communities to use natural systems to manage flooding, reduce urban heat, improve stormwater absorption, protect tree canopy, and restore habitat. The Federal Emergency Management Agency (FEMA) describes land conservation as a nature-based solution that preserves connected open space systems that sustain healthy communities, and the U.S. Environmental Protection Agency (EPA) recognizes green infrastructure as a way to manage stormwater while delivering environmental and community benefits.

- **Protection of Community-Serving Land Uses:** Land acquisition can help ensure that land remains dedicated to public benefit rather than being lost to speculative or incompatible development. This makes land acquisition a powerful tool for preserving the places that support community identity, environmental quality, and everyday access to nature.

- **Community Control and Long-Term Stewardship:** Ownership gives community-based organizations, land trusts, public agencies, or community land trusts the ability to shape how land is used, managed, and protected over time. Community ownership models can help preserve community control of land, reduce absentee ownership, and resist displacement pressures, while also allowing land to be held for conservation, agriculture, recreation, cultural use, or other community-prioritized purposes.

- **Advancement of Park Equity and Environmental Justice:** Land acquisition can direct investment to neighborhoods that have historically lacked access to parks, trees, safe outdoor space, and environmental amenities.

- **Improved Public Health and Well-Being:** Conserved urban green spaces can support physical activity, mental health, social connection, and overall well-being. The World Health Organization (WHO) has found that urban green space interventions can help address public health issues related to obesity, cardiovascular health, mental health, and well-being, while noting that equity and access are important considerations.

- **Biodiversity, Habitat, and Ecological Restoration:** Acquiring land for conservation creates opportunities to restore native plants, expand tree canopy, improve habitat connectivity, protect waterways, and support pollinators and wildlife in urban environments. Recent research continues to underscore that urban greenspaces can provide ecosystem services such as air and water purification, climate regulation, carbon sequestration, and biodiversity benefits.

## Cons / Challenges of- Land Acquisition for Community Conservation

- **High Upfront Costs:** Land acquisition can be expensive, especially in urban areas where land values are high or rising. Even when land is available, abundant and affordable, community conservation partners may face costs of acquisition related to appraisals, surveys, title work, environmental assessments, legal review, closing costs, and insurance. These costs can make acquisition difficult for smaller community-based organizations without flexible capital or technical support.

- **Insurance and Liabilities:** Property ownership carries important legal and financial responsibilities, including the risk of liability if someone is injured on the property. Owners, leaseholders, or organizations that control land may be responsible for maintaining safe conditions, addressing hazards, and ensuring that visitors, volunteers, contractors, and community members are not exposed to unreasonable risk. This is especially important for community-serving spaces such as parks, gardens, trails, farms, vacant lots, and gathering areas that invite public use. Insurance is a critical tool for managing this exposure. Appropriate coverage, particularly commercial general liability insurance, can help protect an organization from the financial consequences of injury claims, legal fees, settlements, or property damage connected to the site. While insurance does not replace the need for strong maintenance, safety protocols, and legal agreements, it provides essential protection for organizations taking on the responsibilities of property ownership or long-term site control.

- **Long-Term Stewardship and Maintenance Obligations:** Acquiring land is only the first step. Once a community partner owns or controls land, it must also maintain, insure, manage, and steward the site over time. Philanthropic grants often support planning, design, and construction, but may not cover long-term operations and maintenance or on-going expenses such as insurance and property taxes creating a funding gap for staff, equipment, repairs, and replacement costs.

- **Limited Organizational Capacity:** Community-based organizations may not have in-house real estate, legal, environmental, or land management expertise. Acquisition projects often require navigating title issues, due diligence, zoning, environmental conditions, permitting, community engagement, and long-term management planning. Without technical assistance, these transactions can become burdensome or risky for organizations whose core strength may be organizing, programming, or community stewardship rather than real estate.

- **Risk of Green Gentrification and Displacement Pressures:** While parks, trails, gardens, and restored green spaces can bring major community benefits, they can also increase nearby property values and contribute to displacement pressures if anti-displacement strategies are not built in from the beginning. Research on “green gentrification” has found that urban greening can be associated with gentrification and displacement, particularly in historically under-resourced neighborhoods.

## Key Considerations

Investing in land acquisition is a significant commitment. Before purchasing land, the community should take time to understand the property and the full scope of costs involved. The community and project partners should be able to clearly articulate how they plan to use the land because each use may have different zoning, infrastructure, and maintenance requirements.

**Budget:** Determine how much you are willing and able to spend, including costs for development, permits, annual property taxes and insurance, and unforeseen expenses.

**Ownership Entity:** Who will legally hold title to the land? Often times a community group cannot take title to land unless they form a non-profit corporation, a community land trust, or some other form of legal entity that is able to hold land.

**Environment:** Assess the surrounding community, amenities, safety, and development potential.

**Restrictions:** Understand zoning laws, building codes, and environmental limitations, and how these may impact intended uses

**Access and Utilities:** Ensure legally accessible roads and availability of water, sewer, and electricity, if needed.

CASE STUDY:

# Detroit Hives: Transforming Vacant Land into Community Green Space for People and Pollinators

**Project Overview: Detroit Hives is a community-based nonprofit working to improve quality of life in underserved communities by supporting both people and pollinators. Founded in 2016, the organization has grown into a regional network of more than 38 active sites across Southeast and South-Central Michigan, transforming vacant and underutilized land into green spaces that foster environmental stewardship, community pride, and economic opportunity.**

## The Challenge

Like many post-industrial cities, Detroit has a significant inventory of vacant and underutilized lots. Too often, these parcels are viewed only as signs of disinvestment. Detroit Hives offers a different vision: vacant land can become a platform for neighborhood revitalization, ecological restoration, youth education, food systems support, and community gathering.

## The Model:

Detroit Hives purchases and secures vacant or underutilized lots, then converts them into urban bee farms, pollinator habitats, botanical gardens, arboretums, and welcoming community green spaces. The organization's approach combines land stewardship, environmental education, neighborhood beautification, and community engagement. At its sites, Detroit Hives creates safe homes for bee colonies, plants pollinator-friendly landscapes, hosts tours and educational programming, and works with schools, community organizations, municipalities, volunteers, and local businesses.


## Public Benefit:

Detroit Hives' work delivers a variety of benefits to the communities it serves. By transforming neglected lots into active green spaces, the organization helps clean up neighborhoods, increase community pride, support pollinator conservation, improve neighborhood beauty, and create places where residents can learn, gather, and connect. Detroit Hives also notes that its gardens support bee colonies, which in turn pollinate plants and can increase fresh vegetable harvests for nearby residents.

One such site is the East Warren Community Arboretum & Botanical Garden. Using a grant fromThe Conservation Fund, Detroit Hives is implementing a six-lot project envisioned with wildflowers, native Michigan trees, walking paths, educational signage, and space for community events and programming.

### Why It Matters:

**Detroit Hives demonstrates how durable site control can unlock long-term community benefit. By purchasing and assembling vacant lots, the organization is not simply activating land temporarily; it is building a foundation for lasting stewardship, ecological restoration, and neighborhood investment**

**Their model also reframes urban conservation. Instead of treating conservation as something that happens only in remote or rural landscapes, Detroit Hives shows that conservation can happen block by block—in the heart of a city—through pollinator habitat, tree canopy, food systems support, environmental education, and community-led land transformation.**

**Detroit Hives offers a powerful model for community-based urban conservation:**

- **Land control matters.** Purchasing vacant lots gives community organizations the ability to plan, invest, and steward green spaces over time.
- **Small parcels can produce big benefits.** Individual lots can become pollinator habitats, outdoor classrooms, gathering spaces, and visible signs of neighborhood care.
- **Ecology and community development can reinforce each other.** Detroit Hives' work supports bees, plants, **residents, youth, local businesses, and neighborhood identity.**
- **Community green space is infrastructure.** These sites provide environmental, social, educational, and economic value—and should be treated as long-term public assets.

Detroit Hives is showing what becomes possible when vacant land is not treated as a liability, but as a community asset waiting to be reimagined. Through land acquisition, pollinator conservation, education, and neighborhood stewardship, the organization is transforming underutilized lots into vibrant urban green spaces that serve both people and the natural world.

## Additional Resources on Land Acquisition

Title Investigation- Evaluating title to a property is important to understand the history of how title (ownership) passed from one owner to another (sometimes referred to as the "chain of title"). For example, was the property once owned by a gas station, which could indicate environmental concerns. A "title commitment" is the most common form of title investigation. Ordered from a Title Company, a title commitment is a commitment by the Title Company to provide Title Insurance. It does not show the chain of title, rather it shows recorded encumbrances like easements and liens. A Title Policy can be purchased from a Title Company to provide insurance in the event someone challenges your ownership in the future.

Purchasing Land or Conservation Easements- This resource discusses national standard best practices as determined by the Land Trust Alliance for obtaining an appraisal, including why they're necessary for land trusts and other non-profit organizations.

How to Buy Property From a Land Bank- A blog post that discusses some best practices and things to think about when purchasing land from a land bank. The National Land Bank Map my be helpful in identifying blighted and vacant properties in communities across the country.

Best Practices When Engaging Appraisers- This PDF details best practices when engaging appraisers to determine they have the necessary skill and experience to work on conservation projects, as well as provide the necessary information to ensure a successful interaction.

Zoning for Urban Agriculture- This document explains the history of zoning and regulation of land use as well as its current state in the United States. It has a lot of helpful definitions including the difference between land-use and zoning, and an exploration of how zoning impacts urban agriculture.

Farmland Access in Urban Settings- This guide covers many topics and issues related to urban farming such as finding land, holding land, city ordinances, site considerations and much more. Also has a fantastic resource section.

Investing in land acquisition is a significant commitment. Before purchasing land, the community should take time to understand the property and the full scope of costs involved. The community and project partners should be able to clearly articulate how they plan to use the land because each use may have different zoning, infrastructure, and maintenance requirements.


# Easements and Covenants

**Easements and covenants are legal tools that can help community-based organizations secure long-term rights, protections, or limitations on land without purchasing the property outright. For organizations working to create or protect urban green spaces, community gardens, trails, parks, stormwater infrastructure, food access projects, or other public-benefit uses, easements and covenants can provide a durable form of site control when full acquisition is not feasible, necessary, or affordable.**

Easements and covenants are often permanent or very-long-term instruments that run with the land they are attached to. As such, unlike leases or licenses, they are typically difficult to change or eliminate and therefore easements and covenants offer a more durable form of site control than other, less permanent and more flexible agreements.

## When properly structured, easements and covenants can help community-based partners:

- **Secure long-term access** to land for a defined public-benefit use.
- **Protect community-serving green space** from future development or displacement.
- **Clarify roles and responsibilities** between the landowner and community partner.
- **Support fundraising** by demonstrating durable legal rights or long-term site control.
- **Reduce the need for full land acquisition** when ownership is not possible or appropriate.
- **Preserve public benefits** across future changes in ownership.

## Common types of easements and covenants relevant to community-based land projects include:

### Access Easements:

Provide a legal right to enter or cross a property. These may be useful for trails, greenways, community gardens, waterfront access, or maintenance routes.

### Conservation Easements

Permanent or long-term restriction on certain uses of land in order to protect conservation values, open space, habitat, farmland, water quality, or community-serving green space.

### Trail or Public Access Easements:

Allow public use of a defined portion of land for walking, biking, recreation, or connection to a larger park or trail network.

### Maintenance Easements:

Grant a partner the right to enter the property to maintain landscaping, gardens, green infrastructure, trails, or other improvements.

### Utility or Infrastructure Easements:

Allow installation and maintenance of infrastructure such as stormwater features, irrigation, lighting, or other public-benefit improvements.

## Pros of Easements and Covenants for Community Development

- **Lower Cost Than Acquisition:** Easements and covenants may be less expensive than purchasing land outright because the community partner is securing specific rights rather than full ownership. However, the cost and ongoing expenses will generally reflect the scope of the rights secured and the extent to which they affect the landowner's use of the property. For example, an easement allowing occasional pedestrian access across private property may be relatively simple and inexpensive. In contrast, an easement that permits a site to be regularly inundated for stormwater management may significantly limit the landowner's economic use of the property and could require greater compensation or additional expenses, such as responsibility for property taxes. Even so, easements and covenants can make site control more attainable in high-cost real estate markets or for organizations with limited capital.

- **Long-Term Protection:** When properly drafted and recorded in the locality's land records, easements and covenants can protect a public-benefit use over time, including after a property is sold or transferred. Easements typically bind all future landowners of a property, ensuring that as property changes hands over time, the restrictions are maintained.

- **Flexible Structure:** These tools can be tailored to the needs of the site and the community. They may apply to an entire parcel or only a specific portion of a property, such as a trail corridor, garden area, stormwater feature, or public plaza.

- **Preservation Without Ownership Burden:** Easements and covenants can allow a community partner to protect important land uses without taking on all of the responsibilities of property ownership, such as taxes, insurance, major capital repairs, or full-site liability.

- **Support for Partnerships:** These tools can help formalize partnerships among community organizations, public agencies, schools, faith-based institutions, land trusts, housing providers, or private landowners.

- **Fundraising and Grant Readiness:** Many funders want evidence that a project has long-term site control. A well-drafted easement or covenant can help demonstrate that a project is durable and worthy of investment.

## Cons and Challenges of Easements and Covenants

- **Legal Complexity:** Easements and covenants must be carefully drafted to be enforceable. Poorly written documents may create confusion, fail to bind future owners, or leave important rights unprotected.

- **Limited Control:** Unlike ownership, easements and covenants usually only provide control over specific rights or restrictions. The community partner may not have full authority to make changes, expand uses, or manage the entire property.

- **Need for a Willing Landowner:** Most easements and covenants require the cooperation of the property owner. If the landowner is unwilling to grant rights or accept restrictions, this tool may not be available.

- **Long-Term Stewardship Responsibilities:** Easements and covenants often require monitoring, maintenance, enforcement, and relationship management. A community partner must be prepared to carry out these responsibilities over time.

- **Potential Enforcement Costs:** If a future owner violates the easement or covenant, enforcement may require legal action, negotiation, or other costly interventions.

- **May Not Be Permanent in All Cases:** Some easements and covenants are permanent, while others are limited by time, purpose, or legal enforceability. The duration and enforceability must be clearly understood before relying on these tools for site control.

## Key Considerations

**Before using an easement or covenant, a community-based organization should take time to understand the property, the landowner's goals, the community's needs, and the long-term responsibilities associated with the agreement. These tools can be powerful, but they are only effective when they are clear, enforceable, and aligned with the intended public benefit.**

### Purpose:

**Be clear about what right or protection is needed. Is the goal to secure public access, preserve open space, operate a garden, maintain green infrastructure, or prevent future development?**

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| **Property Ownership and Title Review:** | Identify the current legal owner of the land and confirm that they have authority to grant an easement or agree to a covenant. Conduct a title search to identify any legal claims or limitations attached to the property, such as mortgages, liens, deed restrictions, prior easements, ownership disputes, or other encumbrances. These issues could affect whether the easement or covenant can be recorded, enforced, or protected over time, and may require another party's consent before the agreement can move forward. |

| | |
|---|---|
| **Duration:** | Decide whether the easement or covenant should be permanent, long-term, or limited to a specific number of years. For durable site control, longer terms are generally stronger. |
| **Public Benefit:** | Clearly define the community-serving purpose of the agreement and how the land will benefit residents, local organizations, or the broader public. |
| **Access Rights:** | Specify who may access the property, when access is allowed, what activities are permitted, and whether access is limited to the partner organization or open to the public. |
| **Permitted and Prohibited Uses** | Identify what can and cannot happen on the land. This may include limits on development, paving, fencing, commercial activity, tree removal, or changes to the site. |
| **Maintenance Responsibilities:** | Define who is responsible for maintenance, repairs, landscaping, trash removal, safety, inspections, and long-term stewardship. |
| **Insurance and Liability:** | Determine who carries insurance, who assumes risk, and how liability will be managed if volunteers, residents, contractors, or the general public use the site. |
| **Monitoring and Enforcement** | Identify who has the right and responsibility to monitor compliance and what happens if the agreement is violated. |
| **Community Engagement:** | Ensure that the agreement reflects community priorities and does not simply protect land in name only. Residents should understand how the site will be used, managed, and accessed. |
| **Funding and Capacity:** | Assess whether the organization has the financial and staff capacity to maintain, monitor, and enforce the easement or covenant over time. |
| **Legal Review:** | Work with qualified legal counsel before signing or recording any easement or covenant. |

## When Easements and Covenants May Be a Good Fit

Easements and covenants may be especially useful when:

- A landowner supports a community-serving project but does not want to sell the property.
- A community partner needs access or use rights, but not full ownership.
- A public agency, school, church, nonprofit, or private owner wants to preserve a portion of land for public benefit.
- A project requires long-term site control to qualify for grants or capital investment.
- A community wants to protect a garden, park, trail, tree canopy, green infrastructure, or open space from future development.
- Acquisition is too expensive, too slow, or not politically feasible.
- The goal is to preserve a specific public benefit rather than assume all obligations of ownership.

## When Easements and Covenants May Not Be Enough

Easements and covenants may not be sufficient when:

- The community partner needs full decision-making authority over the land.
- The landowner is unwilling to grant meaningful long-term rights or restrictions.
- The property has unresolved title, mortgage, or ownership issues.
- The intended use requires extensive development or operational control.
- The organization lacks the capacity to monitor or enforce the agreement.
- Public access creates liability or safety issues that cannot be managed.
- The agreement is too short-term to satisfy funders or protect the public benefit.

## Example Uses

**Community Garden on Privately Owned Land:** A neighborhood organization may use an access and maintenance easement to legally enter, improve, and maintain a garden on land owned by a church, school, or private owner. An easement or covenantcould also restrict the land from being redeveloped for a defined period.

**Trail Connection Across Multiple Parcels:** A community partner or public agency may secure trail easements across several properties to create a continuous walking or biking route without purchasing every parcel.

**Permanent Open Space in a Redevelopment Project:** An easement or covenant may require that a portion of a redevelopment site remain as publicly accessible green space, with maintenance standards and restrictions on future development.

**Green Stormwater Infrastructure:** An easement may allow a nonprofit or public agency to install, access, and maintain rain gardens, bioswales, or other stormwater features on land owned by another party.

**Protection of Community-Serving Land:** A conservation easement or restrictive covenant may help ensure that land acquired or improved with public or philanthropic funds continues to serve a community purpose over time.

## Key Takeaways

Easements and covenants can be powerful tools for community-based partners seeking durable site control over land that serves a public benefit. They do not provide the full authority of ownership, but they can secure the specific rights and protections needed to create, maintain, and preserve community-serving green spaces.

For urban communities, easements and covenants should be understood as part of a broader site control toolkit. When thoughtfully structured, they can help community partners protect land, reduce displacement of public benefits, attract funding, and ensure that investments in urban green space remain rooted in community priorities over the long term.

# Land Use Agreements

**Long-term land use agreements are formal arrangements that allow a community-based organization, nonprofit, public agency, or other partner to use, manage, improve, or steward land owned by another party for an extended period of time.**

These agreements can take several forms, including long-term leases, license agreements, cooperative use agreements, management agreements, memoranda of understanding, or other negotiated arrangements that clearly define how land may be used and who is responsible for its care.

For community-based partners, long-term land use agreements can be an important pathway to site control. While they do not transfer ownership of the property or any interest in real property, they can provide enough legal access and decision-making authority to support public-benefit projects.

Land use agreements are especially useful when land acquisition is not financially feasible, when the current owner is unwilling to sell, or when a more permanent, long-term easement or property covenant cannot be placed on a property. They can also be useful when the land is owned by a public agency, faith institution, school, land bank, housing authority, utility, or private owner that is open to partnership. These agreements can help community partners move from informal permission to a more durable, written arrangement that supports investment, fundraising, planning, and long-term stewardship.

## Common Types of Land Use Agreements

### Long-term Lease:

A formal agreement that gives the community partner the right to use land for a defined period, often in exchange for rent or other consideration. Long-term leases can be especially useful for parks, gardens, farms, and community facilities.

### License Agreement:

A more limited form of permission to use land for a specific purpose, usually for a set period of time. Licenses are often easier to create but may provide weaker site control than a lease because they are often revocable – meaning the landowner can cancel the right to use.

### Management Agreement:

An agreement that allows a community partner to manage, maintain, or program a property on behalf of the landowner.

### Cooperative Use Agreement:

A partnership-based agreement that allows multiple parties to share responsibilities for the use, maintenance, or programming of land.

### Memorandum of Understanding:

A written document outlining shared goals, responsibilities, and expectations. An MOU can be useful early in a partnership, but may need to be paired with a stronger legal agreement for long-term site control.

### Joint Use Agreement:

Often used by schools, public agencies, or institutions to allow community access to facilities, fields, gardens, or open space.

# Pros of Long-term Land Use Agreements for Community Conservation

- **Lower Upfront Cost:** Compared with acquisition, long-term land use agreements are often less expensive and may allow community partners to direct limited resources toward improvements, programming, maintenance, and community engagement.
- **Allows Land to Be Activated More Quickly:** Where ownership transfer would take significant time, a negotiated use agreement may allow a community partner to begin planning, improving, or programming a site sooner.
- **Builds Partnerships with Landowners:** Long-term agreements can strengthen relationships between community organizations and public agencies, schools, churches, land banks, or private landowners who share an interest in community benefit.
- **Preserves Flexibility:** A long-term agreement may allow a community partner to test a project, build community support, or demonstrate success before pursuing ownership, an easement, or another more permanent form of site control.
- **Reduces Maintenance Burden for Landowners:** Landowners may benefit from having a trusted community partner to maintain, activate, and steward land that would otherwise remain vacant, underused, or difficult to manage.

## Cons of Long-term Land Use Agreements for Community Conservation

- **Risk of Nonrenewal or Termination:** Even long-term agreements may eventually expire or be terminated. Without strong renewal rights or protections, the community partner could lose access to the land after investing time and resources.  Even with a long-term agreement in place, a landowner could back out, and then the community partner's recourse is to seek to enforce the agreement.

- **Limited Ability to Make Permanent Improvements:** Some landowners may restrict construction, planting, infrastructure, signage, or other improvements. This can limit the long-term vision for the site.

- **Uncertainty for Major Capital Investment:** Funders, lenders, or public agencies may be hesitant to invest in major improvements unless the agreement is long enough and durable enough to justify the investment.

- **Potential for Unequal Power Dynamics:** Community organizations may have less negotiating power than public agencies, institutions, or private landowners. This can result in agreements that do not fully protect the community partner's interests.

- **Maintenance and Liability Responsibilities:** The agreement may shift responsibility for insurance, maintenance, security, repairs, utilities, or environmental conditions to the community partner, making the cost of the agreement disproportionate to the benefit.

- **Restrictions on Public Access or Programming:** The landowner may place limits on hours of operation, types of activities, public access, events, revenue generation, or site improvements.

- **Legal and Administrative Complexity:** Even though these agreements are often simpler than acquisition, they still require careful review, negotiation, and documentation to ensure that responsibilities and rights are clearly defined.


## Key Considerations

Long-term land use agreements can be powerful tools for community-based partners, but the strength of the agreement depends on its terms. Before entering into an agreement, a community partner should clearly understand the property, the landowner's expectations, the intended public benefit, and the long-term responsibilities connected to the site.

- **Length of Agreement:** Determine whether the term is long enough to support the project vision. A one-year agreement may be appropriate for temporary activation, while gardens, parks, trails, or infrastructure projects may require 10, 20, or more years of control.
- **Renewal Rights:** Understand whether the agreement can be renewed and whether renewal is automatic, optional, or subject to renegotiation.
- **Permitted Uses:** Clearly define what activities are allowed on the site, such as gardening, farming, public events, education, recreation, stormwater management, art installations, markets, or community gatherings.
- **Public Access:** Clarify whether the site may be or must be open to the public, during what hours, and under what conditions.
- **Improvements and Infrastructure:** Identify what improvements may be made, who must approve them, who owns them, and what happens to them if the agreement ends.
- **Termination Clauses:** Review how the agreement can be ended, how much notice is required, and whether the community partner has time to cure any alleged violations.
- **Assignment and Sub-Uses:** Determine whether the community partner can work with other organizations, host programming partners, or allow community members to use the site.
- **Community Governance:** Consider how residents, neighbors, and community members will participate in decisions about the site.

## When Long-term Land Use Agreements May Be a Good Fit

A long-term land use agreement may be a strong option when:

- The community partner needs secure access to land but cannot purchase the property or an easement.
- The landowner is willing to support a public-benefit use but does not want to sell.
- The project involves a community garden, park, trail, urban farm, outdoor classroom, cultural space, or other use that can operate without ownership.
- The property is owned by a public agency, school, church, land bank, housing authority, utility, hospital, or other institution that cannot convey ownership.
- The community partner needs to demonstrate site control for a grant or philanthropic investment.
- The project is still developing and the organization wants to build a track record before pursuing acquisition.
- The land may be needed for future public or private use, but the owner is willing to allow interim or shared community use.

## When Long-term Land Use Agreements May Not Be Enough

A long-term land use agreement may not be sufficient when:

- The community partner needs permanent protection of the land.
- The landowner will only offer a short-term or easily terminated agreement.
- The funder requires ownership, an easement, or another stronger form of site control.
- The land has legal, title, zoning, or environmental issues that cannot be resolved through a use agreement.
- The community partner wants full control over future decisions about the property.

CASE STUDY:

# The Well at Oxon Run:
## Using a Long-Term City Lease to Create a Community Farm and Wellness Space in Ward 8

**Project Overview: The Well at Oxon Run is a community farm and wellness space located in Oxon Run Park in Ward 8, Washington, DC. Operated by DC Greens, the site uses public land to advance food access, wellness, environmental stewardship, and community gathering. The Well is a one-acre community farm and wellness space with 20,000 square feet of farming space, community convening areas, and an outdoor classroom. It is free and open to the public during its annual March–October season.**

## The Challenge

Like many urban communities shaped by historic disinvestment, Ward 8 has faced persistent barriers to fresh food access, health equity, and high-quality neighborhood green space. The Well at Oxon Run responds to these challenges by turning publicly owned parkland into a resident-centered space for growing food, building community, and supporting wellness. Public sources describe Ward 8 as a majority-Black community with significant health disparities, while also noting that Oxon Run Park is one of the District's major public green-space assets.

## The Model

Rather than purchasing land outright, The Well at Oxon Run demonstrates how a community-based organization can use a long-term lease or similar public land agreement with the city to gain stable site control over land that serves a public benefit. Through this arrangement, DC Greens is able to operate, program, improve, and steward a public site while keeping the land available for community use.

The model combines urban agriculture, health and wellness programming, environmental education, food distribution, and community engagement. The site includes farming space for seasonal crop production, large gathering areas, and an outdoor classroom. Design descriptions also note features such as vegetable beds, a farm stand, an orchard, pick-your-own flower gardens, a classroom, a Little Free Library, public art, and memorial space.

## Public Benefit

The Well at Oxon Run delivers direct benefits to Ward 8 residents by increasing access to fresh produce, creating a welcoming outdoor gathering space, and offering free programming tied to health, food, and wellness. In 2025, DC Greens reported that The Well distributed 7,261 pounds of fresh produce directly to neighbors, processed 2,915 pounds of food waste for compost, and offered 170 hours of free health and wellness programming, including art therapy, sound and forest bathing, yoga, and cooking classes.

The site also functions as a public-facing community asset. DC's Department of Parks and Recreation lists The Well at Oxon Run as a Ward 8 partner urban farm at 300 Valley Avenue SE, underscoring its role within the District's broader network of communal and partner urban farms.

### Why It Matters:

**The Well at Oxon Run demonstrates that durable site control does not always require land acquisition. In some cases, a long-term lease with a public agency can provide the stability a community-based organization needs to invest in land, build trust with residents, raise resources, host programming, and steward a site over time.**

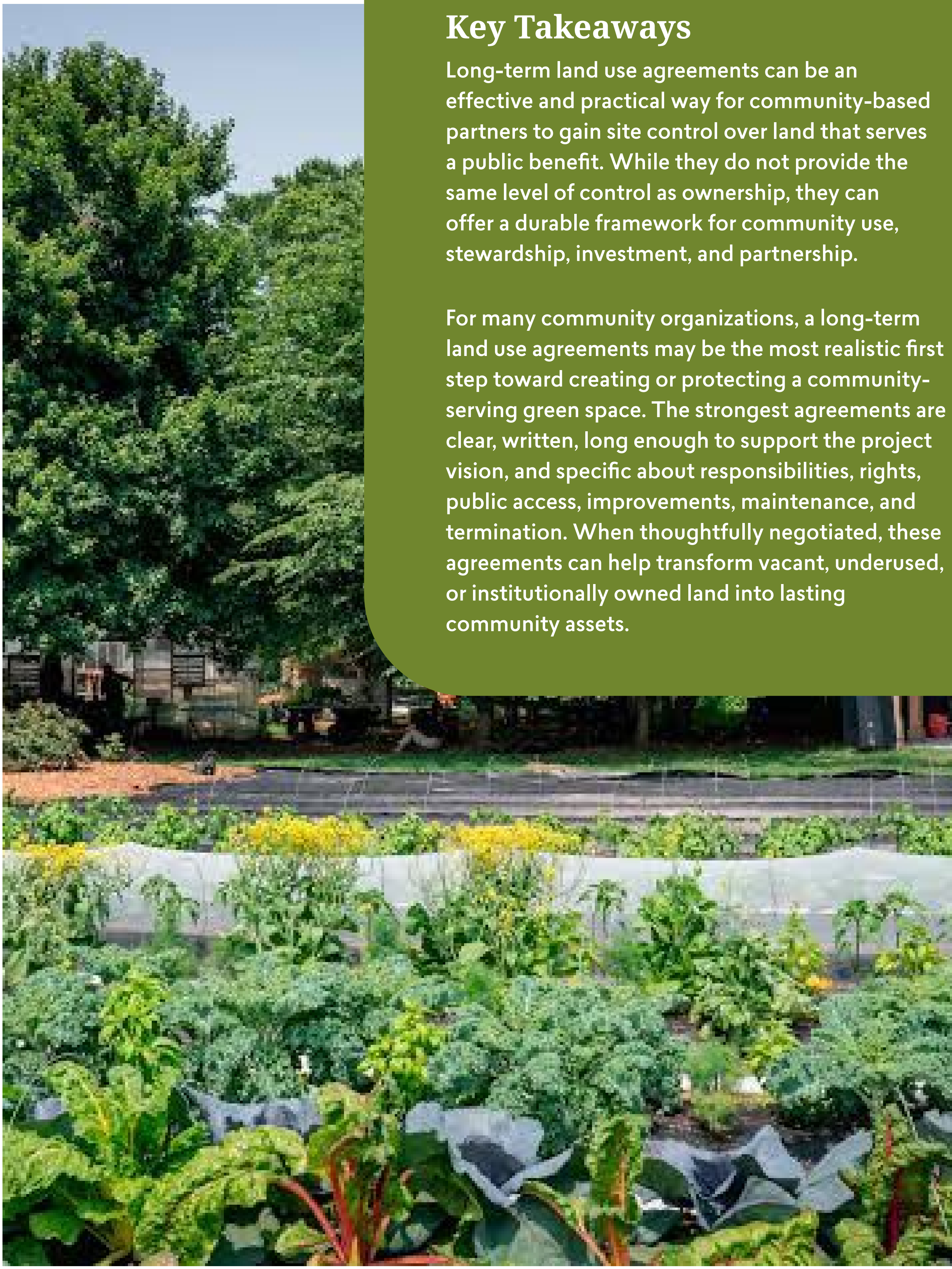
**This model is especially important in urban communities where land is publicly owned, acquisition may be impractical or unnecessary, and the public benefit depends on keeping the land accessible to residents. By using a long-term lease, DC Greens can transform public parkland into a community-serving farm and wellness space without removing the property from public ownership.**

**The Well also reframes urban conservation. Conservation in this context is not only about protecting land from development; it is about activating land for food access, health, climate resilience, community connection, and neighborhood healing.**

**The Well at Oxon Run offers a powerful model for community-based urban conservation:**

- **Ownership is not the only path to impact.** While acquisition can be essential in many projects, The Well shows that community benefit can also be secured through well-structured long-term land use agreements that protect public access and clarify stewardship responsibilities.
- **Long-term leases can provide durable site control.** A lease or public land agreement can give a community-based organization enough stability to plan, fundraise, build infrastructure, and steward land over time.
- **Public land can serve deeper community purposes.** When paired with strong community programming, public land can become a platform for food access, wellness, education, and environmental stewardship.
- **Community green space is health infrastructure.** The Well supports fresh food access, outdoor activity, wellness programming, social connection, and community healing.

The Well at Oxon Run shows what becomes possible when public land is paired with community vision, stable site control, and long-term stewardship. Through a long-term lease with the city, DC Greens has helped transform a portion of Oxon Run Park into a vibrant community farm and wellness space that grows food, hosts programming, supports healing, and strengthens neighborhood connection.



## Key Takeaways

Long-term land use agreements can be an effective and practical way for community-based partners to gain site control over land that serves a public benefit. While they do not provide the same level of control as ownership, they can offer a durable framework for community use, stewardship, investment, and partnership.

For many community organizations, a long-term land use agreements may be the most realistic first step toward creating or protecting a community-serving green space. The strongest agreements are clear, written, long enough to support the project vision, and specific about responsibilities, rights, public access, improvements, maintenance, and termination. When thoughtfully negotiated, these agreements can help transform vacant, underused, or institutionally owned land into lasting community assets.

# Stewardship and Management Plans

**A stewardship and management plan is a written document that outlines how land will be cared for, maintained, programmed, governed, and protected over time. If a community organization has site control through fee ownership, and easement, or a long-term agreement, a Stewardship and Management Plan is an important and necessary component of site management. If a community organization does not have site control, but wants it, a Stewardship and Management Plan can be a good first step to align and demonstrate the vision for a site, and establish a timeline, roles and responsibilities, or even anticipated costs, as an initial first step. A Stewardship and Management Plan can be very detailed, or very general; it can be used to engage the landowner in conversation; or to help a community generate a consensus around goals for a site.**

While a stewardship and management plan does not, by itself, transfer ownership or create legal control over land, it can be a critical part of a broader **site control strategy**, and can be combined with other forms of site control. It can show landowners, funders, public agencies, and community members that the organization has a clear plan for long-term management responsibility if terms of that nature are incorporated into the document. When paired with ownership, a lease, easement, covenant, license, or long-term land use agreement, a stewardship and management plan can help demonstrate that the community partner is prepared to activate and care for the site in a way that serves a public benefit.

For many community-based partners, the challenge is not only gaining access to land, but also obtaining, and then demonstrating that they have, the capacity, partnerships, funding, and governance systems to maintain it. A strong stewardship and management plan can help address those concerns by clearly defining the site's purpose, maintenance needs, decision-making structure, community role, budget, and long-term sustainability strategy.

## Pros of Stewardship and Management Plans for Community Development

- **Demonstrates Readiness and Capacity:** A written plan helps show funders, landowners, and public agencies that the community partner is prepared to responsibly manage the site.

- **Supports Long-term Site Control:** While not a legal ownership tool on its own, a stewardship plan strengthens the case for long-term leases, land use agreements, easements, covenants, or acquisition by showing how the land will be cared for over time.

- **Clarifies Roles and Responsibilities:** The plan can define who is responsible for maintenance, programming, repairs, volunteer coordination, safety, fundraising, reporting, and community engagement.

- **Builds Trust with Landowners and Public Agencies:** Property owners are more likely to enter into long-term agreements when they see a clear plan for site care, risk management, and public benefit.

- **Improves Fundraising and Grant Competitiveness:** Many funders want assurance that a project will be maintained after initial improvements are made. A stewardship plan helps demonstrate long-term sustainability.

- **Strengthens Community Accountability:** The plan can outline how residents, neighbors, and community members will participate in decision-making and help shape the future of the site.

- **Protects Public Investment:** When public or philanthropic dollars are used to improve land, a stewardship plan helps ensure that those investments are maintained and continue to serve the community.

## Cons of Stewardship and Management Plans for Community Development

- **Does Not Create Legal Ownership:** A stewardship plan alone does not give the organization legal title, lease rights, easement rights, or enforceable site control unless it is connected to a formal agreement.

- **Requires Staff and Volunteer Capacity:** Developing and implementing the plan takes time, coordination, and ongoing attention.

- **May Create Long-term Obligations:** Once responsibilities are documented, the organization may be expected to meet maintenance, safety, reporting, or programming commitments over time.

- **Can Be Difficult to Fund:** Funders may support capital improvements more readily than ongoing maintenance, staffing, operations, or stewardship costs.

- **Requires Regular Updates:** Site conditions, community needs, funding, staffing, and landowner expectations may change, requiring the plan to be revisited and revised.

- **May Depend on Other Agreements:** A stewardship plan is strongest when tied to a lease, land use agreement, easement, covenant, or ownership structure. Without those tools, the plan may be challenging to implement, and have limited enforceability.

- **Could Limit Flexibility if Too Prescriptive:** If the plan is overly rigid, it may make it harder for the organization to adapt to changing community needs or site conditions.

## Key Considerations

**Stewardship and management plans should be practical, realistic, and tailored to the specific site. The plan should reflect the organization's actual capacity while also identifying what additional support is needed to care for the land over time. Common or recommended elements include:**

### Site Purpose:

**Clearly define the public benefit of the site. Is it intended to provide food access, recreation, climate resilience, cultural expression, youth education, stormwater management, habitat, public gathering space, or another community benefit?**

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| **Site Control Status:** | Identify whether the organization owns the land, leases it, manages it under an agreement, holds an easement, operates under a license, or is still negotiating access. |
| **Governance Structure:** | Define who makes decisions about the site, including staff, board members, residents, volunteers, advisory committees, partner organizations, or public agencies. |
| **Operations Plan:** | Outline day-to-day procedures for opening and closing the site, volunteer coordination, event management, supplies, tool storage, communications, and emergency response. |
| **Community Engagement:** | Explain how residents and community members will be involved in planning, programming, decision-making, and evaluation. |
| **Public Access:** | Clarify when and how the public can use the site, including hours, rules, accessibility, signage, events, and any restrictions. |
| **Safety and Risk Management:** | Address lighting, visibility, emergency access, insurance, incident reporting, volunteer waivers, safe tool use, environmental hazards, and site security. |

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|---|---|
| **Budget and Funding:** | Estimate annual costs for maintenance, staffing, insurance, utilities, programming, repairs, supplies, and long-term improvements. Identify current and potential funding sources. |
| **Equity and Accessibility:** | Consider how the site will serve historically under-resourced communities, reduce barriers to participation, and remain welcoming, safe, and accessible. |
| **Monitoring and Evaluation:** | Identify how the organization will track impact, such as visitors, volunteers, food produced, trees planted, events hosted, acres maintained, residents engaged, or environmental benefits. |
| **Long-term Sustainability:** | Explain how the organization will keep the site active, maintained, and funded over multiple years. |

## When Stewardship and Management Plans May Be a Good Fit

A stewardship and management plan may be especially useful when:

- A community partner is seeking a position itself for a long-term land use agreement, lease, easement, covenant, or acquisition.
- A funder wants evidence that the organization can maintain the site after capital improvements are complete.
- A landowner wants assurance that the property will be cared for responsibly.
- A public agency requires an operations or maintenance plan before approving a project.
- The site will be open to the public and needs clear rules, roles, and safety procedures.
- Multiple partners are involved and need a shared understanding of responsibilities.
- The organization is transitioning from informal volunteer-led care to a more structured long-term stewardship model.
- A community garden, park, trail, urban farm, or green infrastructure site requires ongoing maintenance and programming.
- The organization wants to preserve institutional knowledge and reduce dependence on a single staff member or volunteer leader.

## When Stewardship and Management Plans May Not Be Enough

A stewardship and management plan may not be sufficient when:

- The organization does not have legal access to the site.
- The landowner can revoke permission at any time.
- The project requires permanent protection of the land.
- The site needs major capital investment but lacks a long-term legal agreement.
- The organization lacks the staff, funding, insurance, or partnerships needed to implement the plan.
- There are unresolved environmental, title, zoning, or safety issues.
- The plan is not connected to an enforceable agreement or clear decision-making authority.
- The community partner needs ownership, an easement, a covenant, or a long-term lease to satisfy funder requirements.

# Practical Steps for Community Partners

## Define the Site's Purpose

Begin by clarifying the community vision and public benefit. Identify whether the site will serve as a park, garden, urban farm, trail, outdoor classroom, green infrastructure project, cultural space, or another community asset.

## Confirm Site Control

Determine the legal basis for using or managing the land, or identify that this is a pending need to be addressed before the Plan is implemented. This may include ownership, a lease, land use agreement, license, easement, covenant, memorandum of understanding, or management agreement.

## Assess Current Conditions

Document the site's physical condition, including vegetation, structures, utilities, access, drainage, soil, safety concerns, contamination risks, and maintenance needs.

## Engage the Community

Gather input from residents, neighbors, local leaders, youth, elders, partner organizations, and other stakeholders. Make sure the plan reflects community priorities and not just organizational assumptions.

## Identify Roles and Responsibilities

Clearly define who will be responsible for maintenance, programming, decision-making, communications, fundraising, volunteer coordination, insurance, and reporting.

## Develop a Maintenance Schedule

Create a practical schedule for daily, weekly, monthly, seasonal, and annual tasks. Include routine care as well as long-term repairs and replacement needs.

## Create a Budget

Estimate the true cost of stewardship, including staff time, supplies, tools, contractors, insurance, utilities, security, programming, and emergency repairs.

## Build a Funding Strategy

Identify how the organization will pay for ongoing care. Include grants, donations, public funding, fundraising events, earned income, sponsorships, in-kind support, and volunteer contributions.

## Address Risk and Safety

Work with the landowner, insurer, legal counsel, and community partners to address liability, emergency access, safety rules, waivers, environmental hazards, and public access policies.

## Document Partnerships

Identify partners who can help implement the plan, such as schools, churches, public agencies, neighborhood groups, garden clubs, contractors, universities, or local businesses.

## Track Impact

Decide what success looks like and how it will be measured. This could include acres maintained, residents served, volunteer hours, events hosted, pounds of food grown, trees planted, stormwater managed, or community feedback.

## Review and Update the Plan Regularly

Stewardship needs change over time. Review the plan at least annually and update it as the site, community, funding, and organizational capacity evolve.

# Key Takeaways

Stewardship and management plans are essential tools for community-based partners seeking to care for land that serves a public benefit. While these plans do not replace legal site-control tools such as acquisition, easements, covenants, leases, or long-term land use agreements, they help demonstrate that a community partner is ready to responsibly manage and sustain a site over time.

A strong stewardship and management plan should be practical, community-informed, financially realistic, and connected to a clear site-control arrangement. It should define the site's purpose, identify roles and responsibilities, outline maintenance and operations, address risk, and explain how the organization will sustain the land for long-term public benefit.

When thoughtfully developed, stewardship and management plans can help community partners build trust, secure funding, protect investments, and transform land into lasting community assets.

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THE CONSERVATION FUND