



URBAN AGRICULTURE & INNOVATIVE PRODUCTION POLICY PROJECT

Land Access

Local Policy Barriers and Strategies for Urban Agriculture

Growing food in cities requires the space to do so. Urban producers have long demonstrated creativity in identifying and cultivating unconventional farm sites—vacant lots, rooftops, warehouses, and schoolyards among them. Despite their flexibility and innovation, farmers and gardeners still face significant challenges accessing land in cities. By recognizing the value of urban agriculture, policymakers can help connect producers to the space they need to grow food.

What Is Land Access?

Land access refers to the ability of individuals, groups, or organizations to obtain and use land for a specific purpose—like growing food in cities.

What Is Land Tenure?

Land tenure refers to the security of legal control someone has over land—whether through ownership, a lease, or another formal agreement.

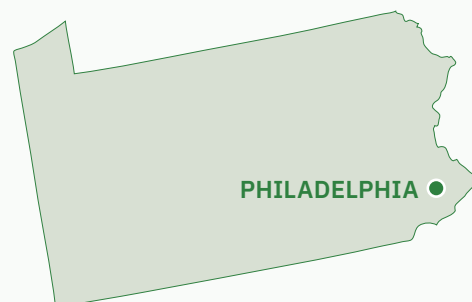
How Are They Connected?

Meaningful land access requires land tenure. Even if a farmer has permission to use a certain parcel of land, they may lose their access rights without a deed, lease, or other legal protection.

Why Land Tenure Matters for Urban Farmers

In cities, particularly in gentrifying areas, urban farms are vulnerable to displacement due to rising land prices and development. Without secure tenure, producers can lose their land—and any investments in their farm and business, like irrigation infrastructure or soil fertility they have carefully built up over time.

CITY HIGHLIGHT



PHILADELPHIA

Philadelphia's Adverse Possession Reform

In 2024, Pennsylvania reformed its adverse possession law to support gardens in Philadelphia. Adverse possession is a legal process that allows someone to claim ownership of private land they have openly and continuously used without permission for a certain number of years. The reform reduced that required period from 21 to 10 years specifically for gardens. This change helps urban farmers and gardeners secure legal title to long-tended vacant lots and protects them from the pressures of redevelopment.

Land Access Barriers and Policy Strategies

While the laws, markets, and politics of any one city might present unique challenges, urban producers across the country face common barriers accessing suitable land. By recognizing these obstacles, municipalities can develop policies that help producers overcome them.

Below are some common land access challenges for urban farmers, along with strategies for policymakers to better connect farmers to urban farm spaces.

COMMON BARRIERS FOR FARMERS

Urban land is increasingly unaffordable, particularly for small-scale producers.

Cities have limited availability of suitable land for agriculture, as vacant lots are often contaminated, poorly located, or earmarked for development.

Cities deprioritize or ignore agriculture in favor of commercial or residential development in the “land disposition” policies they use to sell off publicly owned or surplus land.

Existing land access programs may be limited to nonprofits and exclude for-profit farms or informal community gardens.

STRATEGIES FOR POLICYMAKERS

Connect farmers with public land through leasing programs, sales of surplus city property, or a land bank; and set up tax incentives for agricultural use on private lands.

Inventory public land, protect certain parcels deemed to be a good fit for urban agriculture, and offer long-term leases or affordable purchase options to producers.

Establish urban food production as a “highest and best use” in your city’s land disposition policy.

Allow both for-profit and informal community groups to participate in public land programs or land banks.

Best Practices for Farmers to Access Land

► **Explore public land opportunities.** Contact your local government to find out if public land is available for lease or purchase for agricultural use. Some cities have land banks or make land available through departments like parks, transit, or public utilities.

► **Look into incentives for private landowners.** Research local or state programs that offer tax incentives or other benefits to private landowners who lease or sell land for farming or gardening purposes.



This fact sheet is part of a series of resources on legal topics related to urban agriculture and innovative production. It was produced with support from the Office of Urban Agriculture and Innovative Production at the U.S. Department of Agriculture.

Want to learn more?

View the whole project at cafs.vermontlaw.edu/projects/urban-agriculture-and-innovative-production or scan the QR code.



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