



Community and conservation land trusts as unlikely partners? The case of Troy Gardens, Madison, Wisconsin

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Abstract

Over the last two decades, private non-profit land trusts have gained increasing popularity among those who wish to conserve land or preserve access to affordable housing in the United States. Two types of land trusts—conservation trusts and community trusts—use many of the same tools, but for different purposes. Although both types of land trusts have collaborated with government agencies on a fairly regular basis, they have rarely worked with each other. In addition, questions have arisen concerning the appropriateness of private, non-profit land trusts engaging in de facto land-use planning. The Troy Gardens project, in Madison, Wisconsin, illustrates how two different private land trusts can successfully collaborate in land conservation and community-based development. In this project, the Madison Area Community Land Trust (MACLT), a community land trust, and the Urban Open Space Foundation (UOSF), a conservation land trust, have teamed together with several other organizations to preserve a 31-acre site in a city neighborhood for a combination of open space and affordable housing. This paper explores the strengths and challenges of the land trust collaboration, making suggestions for ways to increase the number of these types of collaborations in Wisconsin and around the United States.

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Introduction

Over the last two decades, private non-profit land trusts have gained increasing popularity among those who wish to conserve land or preserve access to affordable housing in the United States. Currently, there are approximately 1200 conservation land trusts ([Land Trust Alliance website](#)), and over 500 community land trusts in the US ([Levin, 2000](#)). Among the several theories explaining this rise in popularity is, most notably, that people have cited a “dissatisfaction with regulatory planning’s failure” ([Jacobs, 2000, p. 425](#)). That is, the limitations of zoning, taxation, and other public land-use control measures have spurred private citizens into action. Where the public sector has not been able to respond quickly enough (or at all), private

land trusts provide a focused, long-term solution to land conservation and community preservation ([Jacobs, 1999](#)).

Land trusts have grown at the same time that decreasing public funds and devolution have caused a rise in private non-profit corporations throughout the US. Non-profit corporations are responding to such wide-ranging problems as job training, environmental preservation, and housing. Land trusts use the tools of the private market to protect land, and environmental and community resources ([Jacobs, 1999](#)).

The two most common types of land trusts are conservation trusts and community land trusts, both of which use many of the same land-saving tools, but for different purposes. Conservation land trusts typically acquire land or land rights to preserve open space or protect ecological resources. Community land trusts typically acquire land and the improvements upon it to ensure long-term access to affordable housing or community resources. The focus of conservation land

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trusts is the land itself; the focus of community land trusts is more often the people who will be using the land. Community land trusts divide the rights to the improvements and the rights to the land between individuals and the community through a dual ownership agreement (for further explanation of both types of land trusts, see [Davis, 1984](#); [Institute for Community Economics, 1982](#); [Daniels and Bowers, 1997](#)).

Debating the appropriate role for land trusts

In a recent issue of the *Journal of Planning Education and Research*, a series of comments debate the appropriate role for land trusts in regulating and controlling land ([Wright and Czerniak, 2000](#); [Jacobs, 2000](#); [Nelson, 2000](#)). In their opening comment, Wright and Czerniak contend that the standard land-use regulatory mechanisms (primarily zoning) have had limited effectiveness, failing to preserve important agricultural, open space, and other ecologically sensitive lands in sufficiently large quantities. They fault the regulatory focus of Euclidean zoning, which has been on *how* land should be developed rather than *whether* it should be (p. 419).

Stepping into the breach, large conservation land trusts such as the Nature Conservancy have engaged in significant amounts of voluntary land preservation, in essence conducting de facto land-use and open space planning at the same time. Wright and Czerniak proclaim these voluntary efforts superior to traditional land-use regulation because they combine cooperative agreements with economic incentives for not developing private land, thereby affording important lands the permanent protection from development that is neither politically feasible nor legally possible under standard land-use controls.

[Jacobs \(2000\)](#) questions, however, whether it is appropriate for land trusts to operate in this way, arguing that they lack the accountability to the public at large of public land-use planning agencies. Although most are registered non-profit organizations with a public interest mission, land trusts report only to their private member clientele and are not legally required to obtain public input on their planning and decision making. Citing his own earlier research into land trusts ([Foti and Jacobs, 1989](#)), Jacobs notes that most conservation land trusts are created in response to a crisis involving a specific property threatened by development, and have limited staff and budgets, small memberships, and few land holdings. This means that comprehensive or coordinated impact over large areas is minimal. Acquiring land can be costly, and it is sometimes only possible to affect small pockets of land within larger tracts. Typically, these small land trusts do not coordinate their efforts within larger public planning

processes, nor do they seek the active involvement of a broader, more diverse public beyond their membership.¹

The advantages of land trusts over public sector alternatives are their focus, flexibility, and ability to provide long-term conservation and affordability. Yet, despite these advantages, those who have supported land trusts *over* public sector land control methods have come under heavy criticism. Precisely because of their fragmented impact, [Jacobs \(1999, 2000\)](#) argues, conservation land trusts are viewed more appropriately as a complement to standard land-use regulations within a clear public sector planning framework that incorporates public input. Because of their small number and size, community land trusts are similarly more likely to be effective in conjunction with other types of land reform measures and organizations ([Davis, 1984](#)).

Both types of land trusts have collaborated with government agencies on a fairly regular basis; however, they have rarely worked together. In fact, because of differing goals—one type of trust is used for housing and development, the other used for preservation of farmland and natural habitats—there are few examples of collaboration between community and conservation land trusts. The most extensive collaborations have occurred in Vermont and New Jersey (see [Libby and Bradley, 2000](#); [Axel-Lute, 1999](#); the [Vermont Housing and Conservation Board website](#) for examples). Although Wright and Czerniak and Jacobs write specifically about conservation land trusts, the issues that they raise are also pertinent to the new type of land trust collaboration. Do collaborations between conservation land trusts and community land trusts result in the preservation of land as common property? Does their work take place in a public sector planning framework with adequate public input? To whom are the land trusts accountable? And finally, given that such collaborative efforts include housing development as well as land preservation, do the results constitute good land use and community development planning?

Amid the Northside neighborhoods of Madison, Wisconsin, there exists an unusual example of this new form of land trust partnership (see [Fig. 1](#)). The [Madison Area Community Land Trust \(MACLT\)](#), a community land trust, and the [Urban Open Space Foundation \(UOSF\)](#), a conservation land trust, have teamed together with other community organizations and departments from a major university in an innovative, community-based development effort to preserve the

¹Objections to land trusts have come from other directions as well. Conservation easements—a primary land-saving tool used by conservation land trusts—have been criticized by Grover Norquist, president of Americans for Tax Reform, on social equity grounds. Norquist claims that conservation easements “lock up” areas that upwardly mobile minority populations might wish to move to, such as land near the urban fringe that might be considered for suburban development ([Seelye, 2001](#)).



Fig. 1. Dane County, Wisconsin, USA. (Created by Doug Miskowiak, Land Information and Computer Graphics Facility, University of Wisconsin–Madison.)

majority of a large tract of land in the city from development, while providing some much-needed affordable housing on a small portion of the site. This paper explores the lessons learned from this collaborative effort and asks whether it offers a viable model for land conservation and community development elsewhere in the United States. In the pages that follow, we provide background on the Troy Gardens project, highlight the strengths of the collaboration, identify tensions that currently exist and challenges that lie ahead, and offer suggestions for ways to increase collaborations between the two types of land trusts in Wisconsin and across the United States.

Troy Gardens history

In October 1995, the State of Wisconsin announced its decision to place on the State's surplus land list a 6-ha (15 acres), undeveloped site abutting the Mendota Mental Health Center grounds on the city of Madison's Northside (see Fig. 2). The State intended to sell the site, most likely to a private developer, for a standard residential subdivision. However, Northside area residents and people from other city neighborhoods had been gardening on approximately 2 ha (5 acres) of the site for 15 years, using much of the rest of the land to bird-watch, walk their dogs, and simply wander the land and gaze at the beauty of the landscape. Alarmed at the prospect of losing this valuable common resource, and

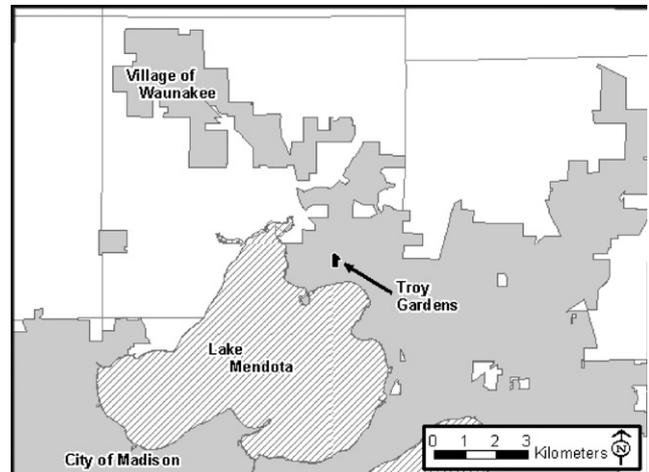


Fig. 2. Location of Troy Gardens in Madison, Wisconsin. (Created by Doug Miskowiak, Land Information and Computer Graphics Facility, University of Wisconsin–Madison.)

at the potential development of the site in ways undesirable to the community, concerned community gardeners, citizens living near the site, and the Northside Planning Council (NPC)² joined together with several non-profit groups—the MACLT, the UOSF, the Community Action Coalition of South Central Wisconsin

²NPC is the umbrella organization that represents the 17 neighborhood organizations on Madison's economically, ethnically, and racially diverse Northside.

Table 1
Organization profiles

Community Action Coalition of South Central Wisconsin, Inc. (CAC): A 34-year-old, 501(c)3 non-profit, anti-poverty community action agency serving three South Central Wisconsin counties, its mission is to develop and enhance the social and economic capacities of low-income individuals, families, and communities. Its Community Gardens program provides a holistic strategy of community-based, participant-led, sustainable food initiatives. The program currently manages 14 community gardens over the Greater Madison area, serving a total of 850 low-income participant-gardeners. Troy Drive Community Gardens is the largest of these. CAC has been an active coalition partner since 1995, and provides technical and organizational support to FTG.

Friends of Troy Gardens, Inc. (FTG): An incorporated 501(c)3 non-profit organization formed in 2000. FTG is responsible for the stewardship of the agriculture and conservation land at Troy Gardens. FTG includes citizen representation from the local community and representation from partnering organizations, including the Northside Planning Council (NPC), the Madison Area Community Land Trust (MACLT), the Community Action Coalition of South Central Wisconsin's Gardens Program (CAC Gardens Program), the Urban Open Space Foundation (UOSF), and the University of Wisconsin–Madison. Replaced the Troy Gardens Coalition.

Madison Area Community Land Trust (MACLT): An active player since the early days of the Troy Gardens Coalition (the precursor organization to Friends of Troy Gardens) and a key player in the development of the project. A 501(c)3 non-profit, MACLT's mission is to acquire land in Dane County and hold it in trust for the benefit of the community, and to provide permanently affordable housing to first-time homebuyers who are at or below 80 percent of Dane County median income. MACLT owns the land at Troy Gardens and is the developer of the affordable housing component. MACLT has granted Friends of Troy Gardens a long-term, interim ground lease for the open space and agricultural uses and has granted the Urban Open Space Foundation a permanent conservation easement on the 10.5 ha (26 acres) of open space.

Northside Planning Council (NPC): A national-award-winning, non-profit coalition of 17 neighborhood organizations in Madison's diverse Northside community. As the primary voice for neighborhood residents in the community, NPC spearheaded the Troy Gardens Coalition partnership of a dozen neighborhood and community organizations and led in the formation of the Friends of Troy Gardens, the formal successor to the Coalition. NPC served as fiscal agent for FTG before it received its 501(c)3 status, and continues to provide technical assistance to FTG and its staff in organizational development and community involvement work.

Urban Open Space Foundation (UOSF): A 501(c)3, non-profit, conservation land trust that works creatively with local governments, residents, businesses, private landowners, and community organizations to acquire urban lands, legally conserve the land's natural and open space values, and involve residents and area businesses in restoring natural, cultural, and recreational features. UOSF was involved in the Troy Gardens Coalition from its earliest days, and has advocated for natural lands restoration and open space preservation on the property. UOSF holds a conservation easement on the 10.5 ha (26 acres) of agricultural and open space land that is managed by FTG. The land trust is deeply involved in developing site plans and facilitating natural areas restoration activities on the land, as an FTG partner organization.

(CAC), and the Design Coalition—to form the Troy Gardens Coalition (see Table 1 for descriptions of the major partner organizations).³ Representatives from the University of Wisconsin–Madison joined the Coalition in the fall of 1996 when the State added to the surplus land list an additional 6.5 ha (16 acres) of landlocked, undeveloped land directly north of the original site. This increased the total site area to 12.5 ha (31 acres).

After many hours of organizing and community meetings facilitated by NPC, the Troy Gardens Coalition devised a mixed housing/open space plan that was accepted by the community residents, and ultimately by the City of Madison Planning Department and Common Council. The Coalition's intent was to develop the site at a lower density than it would be if the area were sold to a private developer. In February 1997, the State agreed to take the entire 12.5-ha (31 acre) site off the surplus land list. It gave the Troy Gardens Coalition—through the local non-profit organizations MACLT and

UOSF—a 16-year lease to use the land as the Coalition saw fit ([Troy Drive Gardens Letter of Cooperation, 1997](#)).

With this breakthrough, the pressure to allow conventional housing development beyond the original Coalition proposal of 24–30 units to fund open space uses was eliminated, opening up possibilities for an exciting and creative array of integrated open space and food production uses on the majority of the site.⁴ By the summer of 1998, the Coalition and the State had reached an agreement that the State would extend the

³The formation and early history of the Troy Gardens Coalition and its value as a mechanism for citizen participation in community development planning is documented by [Pothukuchi \(1999\)](#) and [Brooks \(1998\)](#). Although involved in the early years of the Troy Gardens Coalition, the Design Coalition ceased to be an active participant after 1998.

⁴In addition to the community gardens already on the site, the project includes the Troy Community Farm, which is being developed under the community supported agriculture (CSA) model. CSA is a model of sustainable small farming developed in Switzerland and Japan and adapted for use in the United States. It brings small farmers together with a community of “eaters”, who buy individual household shares in the farm in exchange for a weekly allotment of fresh produce over the growing season (see [Henderson and van En, 1999](#)). This model has the advantage of providing the farmer with much-needed cash up front to invest in seeds and equipment, while offering the consumer (“eater”) a steady supply of fresh (often organic), locally grown produce. This model is now being adapted and modified at Troy Gardens and in other locales (Boston's Dudley Street neighborhood, for example) to provide healthy, nutritious food to low- and moderate-income communities in central cities (see [Kaufman and Bailkey, 2000](#)).

lease to 50 years, with a provision stating that MACLT could acquire full title to the land, with a conservation easement to be held by UOSF. The two land trusts then began to seek the funds to acquire title to the land. In early 2001, after the Coalition had explored numerous funding possibilities to no avail, MACLT succeeded in obtaining a long-term, low-interest loan of community development block grant funds from the City of Madison to buy the entire tract of land from the State. On December 28, 2001, the sale of the land was completed, and Troy Gardens was secured in perpetuity for the Northside community.⁵

Strengths of the land trust collaboration

When MACLT and UOSF were asked to join the Troy Gardens Coalition by Tim Carlisle, lead facilitator and community organizer for NPC, they had no existing relationship with NPC (Levin, 2000). Directors of both land trusts felt that Carlisle called them because he had a general sense of the purpose of land trusts and was looking for any alliance that could be formed to help the Northside community preserve the land. After the first meeting of the Coalition, the community viewed the two organizations as sensitive to their needs, and both land trust directors saw the opportunity to participate in a unique collaborative effort that met their organizations' interests. For MACLT, the opportunity was to build a substantial number of affordable housing units (24–30 total)—more in one place than they had ever developed or acquired before (Levin, 2000). UOSF, a statewide conservation land trust and one of the few in the US that focuses on preserving open space in urban areas, saw the opportunity to preserve a large tract of urban open space with the potential for many activities (Mann, 2000). Clearly this was a unique situation where the interests of two different types of land trusts merged.

MACLT and UOSF have now worked together, first as part of the Troy Gardens Coalition and now as

members of the non-profit Friends of Troy Gardens, for over 6 years and cite many advantages to their collaboration. First, because of the different foci of the two land trusts, they have access to very different pools of financial and technical resources. UOSF is able to access conservation and preservation funding and resources, while MACLT is able to access housing funding, conventional mortgage and development loans and technical assistance, and community development block grant funds (see Table 2 for a summary of the major funding sources for Troy Gardens). Further, the directors of both organizations had strong backgrounds and expertise in their areas (Kaufman, 2000). Sol Levin, an urban planner who had once directed Madison's Community Development Authority, had decades of experience in community development and housing finance, as well as an in-depth understanding of related state and city legislation. Heather Mann, who holds a master's degree from the Land Resources Program at the UW–Madison's Gaylord Nelson Institute for Environmental Studies, is highly experienced in open space preservation and has strong connections to the political power structure both at the City of Madison and in the Wisconsin state legislature (Kaufman, 2000). Savvy strategizers who used their varied expertise and skills to work together, the directors of the land trusts created a synergistic coalition, doubling their skills and expanding their resource base (Levin, 2000; Mann, 2000).

A second advantage of the collaboration is that the two land trust organizations complement each other both in achievement of mission and in combining different mechanisms of land purchase and ownership (Levin, 2000). Although both types of land trusts acquire land through donations and purchase, conservation trusts rely primarily on tools such as remainder interest estates, below cost sales, and conservation easements to restrict land uses and protect land (Daniels and Bowers, 1997). Community trusts use dual ownership arrangements, in which the community owns the land and the individual owns the improvements, and resale formulas to restrict profit from increases in market value to keep housing affordable (Ambromovitz, 2000; Davis, 1984, 2000; Institute for Community Economics website). Again, the collaboration between MACLT and UOSF has served to broaden the mechanisms available to them to achieve their goals.

A final advantage of collaboration is that the end product is "different and better" than either land trust could have achieved alone (Mann, 2000). Both land trust directors agree that open space preservation and affordable housing make good bedfellows. The Troy Gardens project is a unique and creative combination of housing and open space precisely because of the participation of both land trusts in a broader community coalition.

⁵Sale of the land was contingent upon the resolution of several sticking points. First, the State Department of Administration and the Coalition had obtained widely disparate appraisals of the land's value, which had to be reconciled. The disparity was created when the State's appraiser valued the land at its residential development value (\$590,000) and the Coalition's appraiser valued the land at its conservation value (\$308,000). The problem was resolved at a January 2001 hearing of the State Building Commission, in which Coalition members and Madison Mayor, Sue Bauman, testified about the importance of the land to the Northside community and requested that the State accept the Coalition's appraisal figure. After brief deliberations, the Commission agreed to accept the Coalition's figure and approved the sale of the land to MACLT. The Commission attached a reversion clause to the sale, which stipulates that ownership of Troy Gardens will revert to the State should the land ever cease to be used for the proposed combination of affordable housing, sustainable urban agriculture, and community open space uses.

Table 2
Major sources of funding for Troy Gardens

| Funding source | Recipient | Type of grant | Amount | Period covered |
|---------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------|------------------------|------------------------------|
| Oscar G. and Elsa S. Mayer Family Foundation ^a | FTG | Program grant (farm, gardens, open space) | \$35,000 | May 2000–May 2001 |
| Oscar G. and Elsa S. Mayer Family Foundation ^a | FTG | Program grant (farm, gardens, interpretive trail system signs) | \$43,350 | May 2001–May 2002 |
| Madison Community Foundation ^a | FTG | Program grant (operations and staff support) | \$75,000 | August 2001–July 2003 |
| HUD Economic Development Initiative ^b | MACLT | Housing construction (subsidizing affordability) | \$750,000 | September 2001–December 2004 |
| The Evjue Charitable Foundation ^a | FTG/UW–Madison | Program grant (educational programs in urban agriculture) | \$19,500 | May 2001–December 2002 |
| CDBG Acquisitions/Rehab Fund ^c | MACLT | Land acquisition | \$318,000 | January–December 2001 |
| Community Enhancement Program ^c | FTG | Capital improvements (signage) | \$10,000 | January–December 2002 |
| USDA Urban Forestry Grant ^b | UOSF | Program grant (natural areas restoration) | \$65,000 | October 2001–December 2003 |
| CDBG Futures Fund ^c | MACLT | PUD planning process | \$14,000 | April–December 2002 |
| W. K. Kellogg Foundation ^d (Food and Society Initiative) | FTG/UW–Madison | Community–University partnership (program, organization, and staff support; research) | \$493,603 ^c | June 2002–May 2006 |

^aPrivate local foundation.

^bFederal grant.

^cCity of Madison.

^dNational foundation.

^eFTG's share of grant is \$241,901; UW–Madison's share is \$251,702.

Relationship between MACLT and UOSF

One of the reasons the collaboration between MACLT and UOSF has worked so well is because the two organizations had developed a strong relationship even before the 1996 Coalition was formed. Heather Mann turned to Sol Levin before she founded UOSF for his expertise in directing MACLT and to build from his base of experience (Mann, 2000). Once UOSF was founded, Levin was asked to be on the trust's Board of Directors. Since then, each director has had a seat on the other's board (Mann, 2000; Levin, 2000). In addition, both organizations were located in the same office space for close to 5 years; although they now have separate office spaces, co-location fostered a spontaneous and informal relationship that in turn strengthened the respect of each director for the other.⁶

⁶While Mann remains the Executive Director of UOSF, Sol Levin retired in February 2001 and was replaced by Greg Rosenberg as Executive Director in October of that year. Levin continued to lend his expertise to the Troy Gardens project on an ad hoc basis for the next 12 months, while the land acquisition was negotiated. He represented MACLT at the closing on the sale of the land on December 28, 2001, fulfilling his long-term objective to save Troy Gardens. Levin died less than 2 months later, following complications from back surgery. MACLT continues to play the same strong collaborative role with UOSF and FTG under Rosenberg's leadership.

Underlying tensions

Despite the strength of their relationship, and the advantages of their collaboration, underlying tensions between the two organizations occasionally rise to the surface. One obvious tension has to do with land and resource allocations. This is a natural tension that will most likely occur among most land organizations working in collaboration. However, a deeper tension arises from the changing roles the two trusts have played in the Troy Gardens Coalition over time, and from competition between the organizations as to which group's issues generate the most excitement, and which has center stage.

When the Troy Gardens Coalition was first formed, Sol Levin and MACLT were central. Sol's knowledge about the State, and about housing funding and planning was critical in developing the original plan for the site. Once the State took the land off the surplus land list, however, Levin was concerned that the project would be diverted from its housing goals. This turned out not to be the case, but there was some shifting in priorities and roles such that housing, while still an element of the plan, was not the *key* element of the plan. MACLT, while a major player in the Coalition, was not always the *key* player. For a period of several years, Mann and UOSF took on a more central role, primarily because of her strengths as a fundraiser and her

connections to the power structure in Madison (Kaufman, 2000), while sources of funding were pursued through state natural resource and open space programs. MACLT ultimately returned to the role of key player, however, when it became clear that the best opportunity for raising the funds to purchase the land lay in a grant request to the City of Madison Community Development Block Grant Office.⁷

Thus, Sol Levin felt at times that MACLT was somewhat overshadowed by UOSF, not only in interactions within the Troy Coalition (particularly around space and resource allocation issues), but also more generally. Levin felt that MACLT was unable to generate as much excitement around the issue of affordable housing as UOSF was able to generate around open space preservation, that UOSF tapped into “sexier” issues than MACLT, and that therefore MACLT’s mission was not viewed as favorably as that of UOSF.

Levin’s concerns may be a reality for community land trusts working in collaboration with conservation land trusts. In part, this may stem from conservation land trusts being the more familiar and widely known of the two major land trust models; although the number of community land trusts in the US is increasing, they are far outnumbered by conservation land trusts. Certainly in the Troy Gardens case, much of the attention UOSF has received over MACLT has had to do with the differing strengths of the two directors, but there are other reasons. In general, people find preservation of open space a more palatable goal than preserving affordable housing and community assets. Open space preservation affects us all—whether it is creating and preserving parks in our cities, or protecting farmland and open space outside our cities—and thus is a goal that most can support. However, the idea of enabling permanent access to housing for those who do not have it, is an uncomfortable one for many in this era of devolution and welfare reform and emphasis on personal responsibility. Thus, the underlying tensions between MACLT and UOSF are not just particular to the Troy Gardens project, but will be found in other similar land trust collaborations. Depending on the project, community land trusts may often find themselves in the shadow of their conservation counterparts.

Challenges ahead

Although the underlying tensions between the two land trusts do not always surface, in part because of the strong relationship between them, there are a number of issues for negotiation in the future where the tension

may become more palpable and problematic. For much of the Coalition’s history, it has planned only in “generalities” around the site, and the devil may be in the details. Now that the land at Troy Gardens has been secured, detailed site plans need to be made and submitted to the City of Madison in order to rezone the land as a planned unit development and complete the development process. In particular, there may be tensions surrounding the physical interface of the residential portion of the site, which occupies the extreme southwest corner, with the larger open space area that borders it on two sides (see the map in Fig. 3) and with the existing neighborhood fabric.

A second concern has to do with access. As the planned unit development planning process moves forward, there will be issues concerning the spatial arrangement and access to the housing site, the community gardens, and the CSA farm. Related issues, such as the placement of farm structures (e.g., greenhouse, barn, storage shed, and farmstand), utility lines, and roads (whether public or private), could also pose potential conflicts among the organizations (Levin, 2000).

A third challenge has to do with the slow pace of the process (Mann, 2000), which has less to do with the tensions between the two land trusts and more to do with the difficulties of coordinating an effort across five non-profit organizations, 17 neighborhood groups, and university- and state-level bureaucracies. However, this slow pace has the potential to drain energy and exacerbate underlying tensions between organizations, even as it allows the nascent Friends of Troy Gardens organization to become more financially stable. The recent influx of substantial grant monies into the coffers of Friends of Troy Gardens, MACLT, and UOSF has sped up the pace of certain project components, such as the CSA farm and the natural areas restoration (see Table 2 for a listing of funding sources and amounts received). Much of the staff and project funding is in soft dollars, however, which necessitates continued fund-raising. If long-term funding proves hard to find, the pace of the project will slow once again. For the time being, staff and project funding is secure through to mid-2006.

Finally, Troy Gardens is but one of several important projects undertaken by either of the land trusts. Both MACLT and UOSF have other major projects in different stages of development in the Madison area that fulfill their individual land trust missions. These projects quite reasonably command a considerable amount of the land trusts directors’ energies and time, which has occasionally caused Troy Gardens to take a back seat, particularly for UOSF. As the planned unit development process moves forward, however, the directors’ attention will return to Troy Gardens. The challenges described here are by no means

⁷In January 2001, MACLT secured a long-term, low-interest loan of \$318,000 in community development block grant funds to purchase the site.

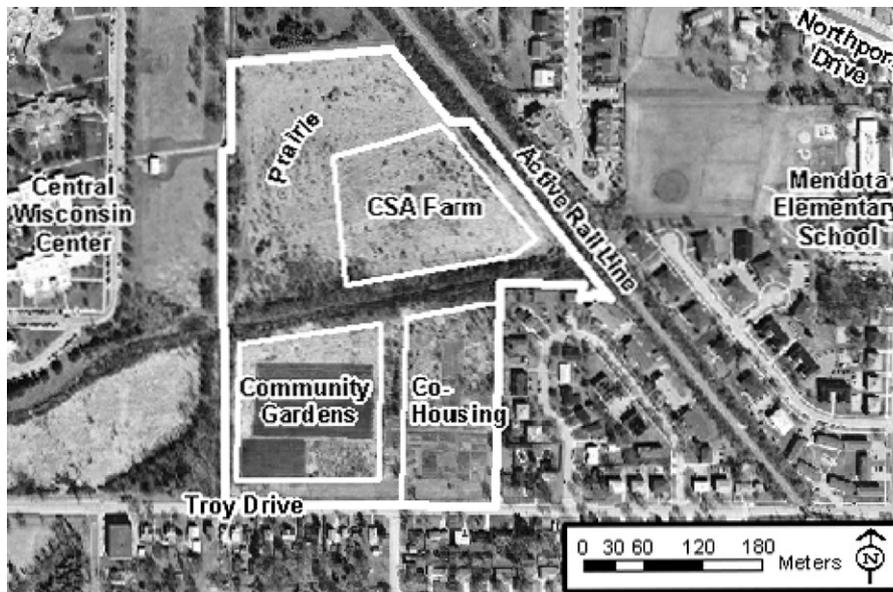


Fig. 3. Troy Gardens Site Map. (Created by Doug Miskowiak, Land Information and Computer Graphics Facility, University of Wisconsin–Madison; Dane County Land Information Center.)

insurmountable, but land trusts seeking to work in collaboration should be prepared to negotiate them.

Facilitating future collaboration

Both land trust directors agree that there are several factors that would help facilitate future collaboration between them, and between other community and conservation land trusts in the United States. First, they note the need for greater public awareness and understanding that housing and conservation *can* co-exist (Levin, 2000; Mann, 2000). Typically, these two goals have been viewed as contradictory and pitted against one another, although there are examples to the contrary in the northeastern United States.⁸ Funding streams and resources, as well as local, state and federal agencies that deal with housing and conservation, are separated into different silos. In Wisconsin, there is some hope that the new Smart Growth legislation will bring housing and conservation groups together for joint planning in communities around the state.

Second, technical assistance from a third party knowledgeable about both types of land trusts would facilitate future collaboration (Levin, 2000; Mann, 2000). Technical assistance is available for conservation land trusts through the [Land Trust Alliance](#), and through state groups such as Gathering Waters in Wisconsin. Technical assistance is also available for community land trusts through the [Institute for Community Economics](#). However, there are few groups in

the US that offer technical assistance to the two types of land trusts working in collaboration, and there is no group of this kind in Wisconsin.

One such technical assistance group that has worked successfully is the [Vermont Housing and Conservation Board](#) (VHCB). VHCB was formed in 1987 through lobbying efforts by a coalition of land conservationists and housing advocates (Dennis, 1993). Vermont legislators appropriated \$3 million in state funds to create this quasi-governmental agency, which provides grants and technical assistance to both community and conservation land trusts. Since its inception, VHCB has helped land trusts in Vermont preserve over 68,825 ha of open space (170,000 acres) and 5000 units of affordable housing (Libby and Bradley, 2000). Both Levin and Mann noted that a similar agency at the state level in Wisconsin would be desirable to provide funding and assistance. In addition, Mann suggested that a national agency could be formed to play a similar role across the United States. In the current US political climate, however, that remains a distant dream.

Lessons learned from land trust collaboration

The collaboration between MACLT and UOSF offers several important lessons for other community and conservation land trusts interested in working together.

Projects must meet organizations' interests

For community and conservation land trusts to come together, the project they collaborate on must meet both

⁸See Axel-Lute (1999) for examples in New Jersey and Vermont.

organizations' interests. In the Troy Gardens case, MACLT's interest in affordable housing was met through the cohousing portion of the development (20 of the 24–30 units to be built will be below market rate⁹),¹⁰ and UOSF's interests were met through the prairie restoration, community gardens, edible landscape, horticultural therapy gardens, and urban agriculture portions of the site. Again, the unique nature of UOSF, as one of the few land trusts focused on urban open space issues, positioned it well for the Troy Gardens project.

Projects must include external pressure/support for the collaboration

In the Troy Gardens case, MACLT and UOSF are not the only organizations taking part in the project. There are several other organizations, as well as community groups and members that participate in the Friends of Troy Gardens. Being part of a broader coalition has helped mediate the tensions between MACLT and UOSF, and kept them focused beyond their own organizational interests and on the community's needs and goals.

Projects must build trust and strong relationships

MACLT and UOSF had developed a solid working relationship with one another before the Troy Gardens Coalition even formed. This relationship, which grew throughout the years the Coalition existed and has continued through the non-profit Friends of Troy Gardens, has helped both organizations trust each other enough to address challenges as they arise, rather than allowing them to derail the project. In addition, both

⁹The HUD Economic Development Initiative grant described in Table 2 is targeted toward buying down the construction costs associated with the below-market-rate housing units. Qualified buyers will have household incomes at or below 80 percent of Dane County median income, which was \$49,223 in 1999.

¹⁰Cohousing is a form of cooperative living that combines individual ownership of housing units with common ownership of land and structures that are used by all who live in the development. The cohousing concept was imported to the United States from Denmark and the other Scandinavian countries (see McCamant et al., 1994; Hanson, 1996). The cooperative living arrangements are characterized by a participatory process through which residents design and manage the housing development to encourage a strong sense of community, including the physical design of the housing units and extensive common facilities that supplement each resident's individual unit (e.g., the "common house," which is used for cohousing group meetings and communal meals) (Hanson, 1996, p. 2). The physical design of cohousing projects is typically characterized by compact development of structures and common open space, with minimal vehicular access to the site. The Troy Gardens cohousing will be developed with the aid of \$750,000 in grant monies from the Department of Housing and Urban Development, included in the final Clinton Administration budget signed in January 2001 (see Table 2).

organizations have earned the trust of the Northside community through their participation first in the Coalition and then as members of FTG, and through their willingness to meet community needs. Conservation and community land trusts that wish to work in partnership will need to find common ground, build trust between open space and affordable housing advocates, and work carefully together to craft a formal decision-making structure (Axel-Lute, 1999).

In addition, projects must build relationships of sufficient strength to weather occasional fluctuations in the balance of power and changes in key personnel. As the history of the relationship between MACLT and UOSF demonstrates, tensions can arise when one organization's goals are being achieved and another's are not (or are less fully realized). The directors of both land trusts recognized, however, that the achievement of a broader goal—saving Troy Gardens—depended on their ability to de-emphasize individual organizational goals for the overall good of the project. This both directors were able to do, despite repeated shifts in which organization played the key role. The strong relationship between land trusts has also survived the departure or even loss of key individuals in the organizations themselves and in the broader coalition that is FTG.¹¹

Land trust collaborations and community-based development

In the light of the debate outlined at the outset of this paper about the appropriate role for land trusts, several questions remain with respect to the Troy Gardens project. Will Troy Gardens, under the future ownership and stewardship of two private land trusts, continue to be an example of common property? From a community-based development perspective, what are the advantages and drawbacks to the Troy Gardens collaborative effort?

Troy Gardens as common property

Early in the partnership's history, the Troy Gardens property was owned by the State of Wisconsin, but leased by MACLT and UOSF, the two local land trusts. On December 28, 2001, MACLT finalized the purchase of the land from the State of Wisconsin Department of

¹¹In addition to the aforementioned loss of Sol Levin, longtime NPC facilitator and organizer Tim Carlisle left that organization and the Friends of Troy Gardens in August 2001. His replacement, Jim Powell, worked side by side with Tim for the better part of a year before his departure, making the transition very smooth. The critical role Carlisle played in bringing the Coalition together and keeping it on track over a 6-year period has been partially documented by Pothukuchi (1999).

Administration. Thus, the current status of the land is that it is publicly owned but privately managed, albeit with management strongly influenced by Northside residents. Arguably, this land has been common property, but will it continue to be so now that the title to it has been transferred to MACLT?

Under the land ownership and management structures that went into effect with the sale of the land, MACLT holds title to the entire parcel. Upon the sale, however, MACLT immediately granted UOSF a conservation easement over 10.5 ha (26 acres) of the site. MACLT then entered into a ground lease agreement with FTG for the management of the urban agriculture and open space projects on the site.¹² Because of this conservation easement and ground lease structure, Troy Gardens should remain common functionally and in perpetuity even under its new ownership.¹³ Although the primary intent of the land acquisition is to maintain this common resource for the benefit of Northside residents, the greater Madison population will continue as before to have free access to the land, thus maintaining its status as a functional commons. The exception to this would be the cohousing units, which will be privately owned. The common house structure on the cohousing site, however, may well be available to community gardeners and FTG members for meetings, and the possibility that some farm structures could be located on the cohousing portion of the site is still under discussion.

Troy gardens as sustainable, community-based development

Madison, Wisconsin has a strong historical tradition of neighborhood-level planning. Troy Gardens differs, however, from typical community-based development projects in Madison and other central cities in that it is

¹²The ground leases were set up between MACLT and the Friends of Troy Gardens for the management of all of the open space uses on the site. For the foreseeable future, however, the Community Action Coalition will continue to administer the community gardens on site and other aspects of the project pertaining to open space, such as the natural areas restoration, will be managed by UOSF. UOSF's eventual goal is to turn management of all of the open space uses over to community management through the Friends of Troy Gardens. CAC continues to organize and work with the community gardeners, with the ultimate goal of turning the garden management over to them and the Friends of Troy Gardens.

¹³The term "in perpetuity" is a relative one. Under the terms of the sale negotiated with the State of Wisconsin, if MACLT ceases to exist or Troy Gardens ceases to be used for this unique combination of affordable housing, urban agriculture, and other open space, the land would revert to the State. Given that these uses of the land are the repeatedly stated desires of the Northside community (in community meetings dating back to the inception of the Coalition and in subsequent FTG board meetings), exercise of the reversion clause seems highly unlikely. Once the PUD approval process is complete, the land will be rezoned for precisely these uses, solidifying community desires in formal land-use regulations.

not *comprehensive* community development, but rather was stimulated by a crisis—the threatened loss of Troy Gardens (Pothukuchi, 1999, p. 2; compares Boston's Dudley Street Neighborhood Initiative, described in Medoff and Sklar, 1994). Still, the comprehensive approach to planning for the site taken by the land trusts and the other partner FTG organizations responds to what Campbell (1996, p. 299) calls "the most challenging conundrum of sustainable development: how to increase social equity and protect the environment simultaneously."

Campbell locates sustainable development within a triangle of conflicting planning goals (economic growth and efficiency, social justice, and environmental protection) that engender three associated conflicts over the boundaries between: (1) private interest and the public good, (2) the developed city and the undeveloped wilderness, and (3) social equity and environmental protection (the source of the aforementioned conundrum). Site plans for Troy Gardens call for a project comprised of a variety of land uses: restored prairie and open space, entrepreneurial urban agriculture and community gardens (targeted toward increasing the food security of low- and moderate-income households), and a mixed-income cohousing development. This combination of uses places Troy Gardens in the center of Campbell's sustainable development triangle. Although Troy Gardens is just a single case of land conservation and sustainable, community-based development planning, it may well offer useful lessons for other, similar, collaborative land trust efforts around the country.

Finally, although the City of Madison's Planning and Development Department has not been directly involved as a partner in the Friends of Troy Gardens or in the Coalition's planning process, it has had some input. The City has contributed community development block grant funds on three occasions, facilitating the initial development concept planning, financing the eventual purchase of the site, and mostly recently supporting the Planned Unit Development process. A general concept plan for Troy Gardens was approved in November 1998 by Madison's Common Council, after review by the Madison Plan Commission and city planning staff. Using the latest CDBG monies, MACLT has now contracted with a local planning firm to prepare the General Development Plan (GDP) for the overall site—the first stage in the Planned Unit Development approval process—for review by the Planning and Development Department and eventual submission to the Common Council in mid-2003. Following GDP approval, MACLT and FTG will engage in more detailed site and architectural planning for the Specific Implementation Plan (SIP) that is required before ground can be broken for the cohousing development or any other permanent structures can be put up. The

SIP will also undergo review by the Plan Commission and city planning staff before it can be approved by the Common Council. Thus, any land-use plans that FTG (and its two land trust partners) intend to implement at Troy are in fact subject to public sector planning agency review, which should reduce the kinds of concerns about lack of public sector oversight raised by critics such as Jacobs (2000) and noted at the outset of this paper.¹⁴

Conclusion

Can a land trust collaboration like that between MACLT and UOSF be formed in other communities? If the conditions specified above are met, the answer is quite likely yes. Collaboration offers clear advantages to community and conservation land trusts, but does pose potential conflict because of tensions between often competing goals. As land trusts continue to grow in popularity across the US, it is important to note that collaboration is only one of a number of viable options and not a replacement for public sector land control and reform mechanisms.

Is community and conservation land trust collaboration a viable strategy for preserving common property while engaging in sustainable community-based development? The Troy Gardens case suggests that it can be. Long-time Northside resident and Troy gardener Marge Pitts, now Chair of the Friends of Troy Gardens, writes:

We each have a sense of proprietorship over this piece of green earth which we each need and love for our own reasons, but no one of us has ownership. This paradox of loving proprietorship absent of exclusionary ownership...gives us a 'selfish' reason to cooperate and communicate respectfully with one another. I think it might be the secret to saving the world¹⁵ (City Farmer, Canada's Office of Urban Agriculture, 2000).

The Troy Gardens project combines land conservation, affordable housing, food production and entrepre-

neurship, and community building objectives to conserve as common property 12.5 ha (31 acres) of prime, developable land within the city limits on Madison's Northside. When conservation land trusts and community land trusts work in partnerships such as this one, however, a diverse group of voices and interests may be heard in the process of preserving land. The result is the creation of common property for the public good which, in the Troy Gardens case, is yielding sustainable community-based development as well.

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¹⁴Nor will opportunities for broader public comment be lacking. The process of preparing the PUD documents for submittal also involves a planning charrette to be facilitated in the Fall of 2002 by Smith Group/JJR, the local planning consultants, which will offer FTG members the opportunity to finalize details concerning the location of permanent structures and other features of the site plan. (Membership in FTG is open to anyone who can afford the \$5 annual membership fee.) In addition, FTG will hold design charrettes specifically for the community gardeners and for the CSA farmer and farm shareholders to complete physical plans for those projects. MACLT and its architect will hold similar design charrettes for the members of the cohousing community in the spring of 2003. Finally, all development plan documents are subject to broader public review and comment at mandatory public hearings.

¹⁵Marge Pitts' column, *Troy Gardens Journal*, can be found on the City Farmer website, <http://www.cityfarmer.org/troygarden.html>

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