

ASHLAND CHERRYLAND VACANT LAND SURVEY REPORT



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with and for
The Ashland Cherryland Food Policy Council

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The Ashland Cherryland Food Policy Council (ACFPC) emerged from a group of residents organizing around healthy food and urban agriculture land access issues. The Council's work is grounded in our vision of a vibrant and healthy local food system that strengthens our economy by increasing opportunities to locally grow and harvest food, gives a voice to residents who want to make a difference, maintains strong partnerships with neighboring communities, and encourages participation in the Eden Area Livability Initiative (EALI), as well as other neighborhood food and urban agriculture-related projects. The resident-driven Council advises local government on policy in order to establish an equitable and secure food system for the community.

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EXECUTIVE SUMMARY

Objective

The objective of the Ashland Cherryland Food Policy Council (ACFPC) report on the 2014-2015 ACFPC Vacant Land Survey is to evaluate the potential impact of implementation of California State Assembly Bill 551: Urban Agriculture Incentive Zones (AB 551) in Ashland and Cherryland, two low-income unincorporated communities with limited healthy food access in Alameda County, California.

Methods of Analysis

Raw data from the County Assessor suggesting the location of vacant parcels in Ashland and Cherryland was field verified and analyzed to identify the future agricultural use potential of the suggested parcels. Upon identification, current and potential AB 551-adjusted property tax assessments were calculated to determine if the tax incentive provided in AB 551 would be significant.

Findings

The Council found that less than half of the parcels assumed to be vacant and potentially eligible for AB 551 conversion to agriculture use fit the criteria necessary to qualify. The AB 551-adjusted property tax assessments did, however, indicate a significant incentive for property owners, with potential savings of no less than 81%.

Conclusion

AB 551 was concluded to be a promising urban agriculture policy, but its shortcomings suggest that it alone may not be the most effective approach to addressing healthy food access issues in Ashland and Cherryland. The Council supports AB 551 implementation in the County planning areas that include Ashland and Cherryland, provided there be concurrent consideration of additional urban agriculture policies and engagement in local programs that could maximize the overall potential of the policy.

Recommendations

It is recommended that Alameda County move forward in drafting an ordinance for local implementation of AB 551 while developing additional urban agriculture policies and program-based strategies that will address the healthy food access issues for Ashland and Cherryland residents. The Council recommends that County leadership look to successfully implemented urban agriculture programs in other communities for guidance and inspiration.

INTRODUCTION

Project Background

The impetus for the ACFPC Vacant Land Survey came from Ashland and Cherryland residents who voiced interest in increased access to healthy food and the possibility of urban agriculture in their neighborhoods. During community meetings throughout 2014, residents expressed curiosity about local implementation of California State Assembly Bill 551: Urban Agriculture Incentive Zones (AB 551). Residents hoped the policy could support their efforts through Alameda County Supervisor Miley's Eden Area Livability Initiative (EALI) to identify more urban sites to grow healthy food and expand community gardening opportunities. Realization of this aspiration would also align with the EALI Agriculture & Environment project to "advocate for infill, pocket parks, and community gardens."

Signed into law in 2013, AB 551 provides a tax incentive for private property owners to commit their vacant and/or blighted properties to agricultural use for a five year time period. During this time the assessed values of qualifying parcels would be decreased, resulting in property tax reductions. Because an intensive food production network could positively impact local healthy food access and thereby improve the overall health of Ashland and Cherryland residents, the Council set out to research the potential of local AB 551 implementation through the Vacant Land Survey.

Area of Interest

The ACFPC Vacant Land Survey covers the adjacent unincorporated Alameda County communities of Ashland and Cherryland. They are bordered by the city of San Leandro to the north and the city of Hayward to the south, and by the unincorporated communities of San Lorenzo to the west and Castro Valley to the east. A map of the area of interest is provided in Figure 1 below.

Figure 1: Map of Ashland and Cherryland



Community Demographics

Ashland and Cherryland are high-density, low-income communities with limited healthy food access. Simultaneously, these communities are experiencing rising rates of diet-related chronic disease.

Ashland has a population density of 11,927 persons per square mile, while Cherryland has a population density of 12,302 persons per square mile (United States Census Bureau, 2015). Both figures are significantly higher than the Alameda County population density of 2,044 persons per square mile (*Ibid*). These communities are also experiencing population growth at a much higher rate than the County as a whole. Between 1990 and 2010, the population growth rate was 18.5% in Ashland and 19.5% in Cherryland (County of Alameda, CA, 2014). The population growth of Alameda County over the same time period was 11.5% (*Ibid*). (See Table 1)

Table 1: Demographic Comparison of Ashland and Cherryland to Alameda County

	Pop. Density ¹	Pop. Growth	Poverty
Ashland	11,927	18.5%	17%
Cherryland	12,302	19.5%	21%
Alameda County	2,044	11.5%	12.5%

The Ashland and Cherryland communities have high rates of persons living below the federal poverty line, which is \$23,850 for households with four persons (Office of the Assistant Secretary for Planning and Evaluation, 2014). In Ashland, 17% of the population lives below the poverty line (County of Alameda, CA, 2014). In Cherryland, 21% of the population lives below the poverty line (*Ibid*). Comparatively, in Alameda County, 12.5% of the population lives below the poverty line (United States Census Bureau, 2015). (See Table 1)

The United States Department of Agriculture has designated Ashland and Cherryland ‘food deserts’ because they are communities where many residents need to travel more than one mile from their homes to the nearest supermarket (Economic Research Service, 2015). From the northern and southernmost neighborhoods within Ashland and Cherryland, the nearest supermarkets can be found more than a half-mile away, while in the core of Ashland and Cherryland, that distance increases to over a mile (*Ibid*). Residents from these communities often rely upon local convenience stores and liquor retailers for their sustenance and nutrition.

Living in a food desert can make healthy eating opportunities scarce and exposes communities to greater risks of diet-related chronic disease such as obesity, diabetes, and heart disease (Alameda County Public Health Department, 2008). In some parts of Ashland and Cherryland, the adult population is experiencing 22% or higher rates of obesity, while in others, the adult population is experiencing 27% or higher rates of obesity (ChangeLab Solutions, 2014).

METHODS OF ANALYSIS

Data collection for the ACFPC Vacant Parcel Survey was made possible with the help of the Alameda County Planning Department and Assessor’s Office. The Planning Department ran a query on the Assessor’s database requesting a list of vacant lots in Ashland and Cherryland that might be suitable for urban agriculture. That query provided the Council with raw data that the Council agreed needed to be field verified and analyzed prior to making any recommendations regarding use of said parcels.

¹ Population Density is measured per square mile and rounded to the nearest whole number.

For reporting purposes and to protect the privacy of the landowners, site addresses, parcel numbers, and ownership information were excluded from this report, but not from the database. All data is on file and available for review with the Council Coordinator.

Initial Data from Assessor

The Assessor's database query returned to the Council a list of 78 parcels within the geographic boundaries of the area of interest, between 0.1-3.0 acres in size, and with Use Code designations for vacancy². The data fields provided for each qualifying parcel were *Assessor's Parcel Number (APN)*, *Site Address*, *Use Code*, *Zoning Designation*, and *Size*, as well as ownership information.

Field Verification

A field survey document was created to standardize the data verification and distributed to pairs of field surveyors. Included on the document were a *Current Use (CU)* choice and a *Notes* section. The *Current Use (CU)* choices were either: Vacant (V), In Use (IU), or No Access (NA). The *Notes* section allowed surveyors to provide further detail regarding the current uses observed and to make any other pertinent comments. Field surveyors also took photographs of each parcel for review.

Field Data Analysis

All of the *Notes*, *Current Use (CU)* designations, and site photographs were reviewed by the Council upon completion of the field work. The Council used that analysis to suggest the suitability of these parcels for some form of urban agriculture, and more specifically, for AB 551 contract eligibility. A new data field, *Future Use Potential (FU)*, reflected those suggestions and included the values: No Use (X), AB 551 eligible (AB), or Possible General Urban Agriculture (GA).

To be eligible for AB 551 contracting locally, parcels must be vacant and zoned for residential use. Therefore, residentially zoned and vacant parcels were given the *Future Use Potential (FU)* classification of AB 551 (AB). Vacant parcels that were zoned commercially or industrially were given the *Future Use Potential (FU)* classification of Possible General Urban Agriculture (GA) because changes to the existing County Zoning regulations would need to occur before any agriculture uses would be permitted on these parcels³.

Because the Council recognizes the inability to farm parcels already in use, most parcels identified as currently in use were classified as having no future agriculture use potential. However, four of the parcels in use were considered eligible for AB 551 contracting because their use was only partial and did not include any permanent structures.

Similarly, most parcels identified as having no access to them were classified as having no future agriculture use potential⁴. However, because their future inaccessibility couldn't be guaranteed, the Council resolved that five of the parcels they were unable to access still had potential for agriculture use.

Analysis of the field data collected narrowed the original dataset down from 78 parcels suggested to be vacant to 30 vacant or partially-vacant parcels eligible for AB 551 contracting.

² Assessor Use Codes for vacancy include 1000: Residential Vacant, 3000: Commercial Vacant, 4000: Industrial Vacant, and 7000: Apartments Vacant.

³ The Alameda County Zoning Ordinance disallows agriculture uses on commercial and industrial zoned properties. The Ordinance allows agriculture uses on residential zoned properties.

⁴ Access to these parcels was limited due to their lack of frontage onto a publicly maintained right-of-way.

Assessment Calculations

After determining the 30 eligible AB 551 parcels, the Council retrieved three additional fields of data from the Assessor's website for each of them: *Current Assessed Value (CV)*, *Tax Rate (TR)*, and *Current Property Tax Amount (CT)*. With that information, two more fields were calculated: *Potential Assessed Value (PV)* and *Potential Tax Amount (PT)*.

Because AB 551 would re-assess property values at the current rate for irrigated cropland per acre, which in 2015 is \$12,100, each parcel's size was converted into acreage and multiplied by 12,100 to arrive at its *Potential Value (PV)*. That *Potential Value (PV)* was then multiplied by the applicable *Tax Rate (TR)*⁵, resulting in its *Potential Tax (PT)* amount.

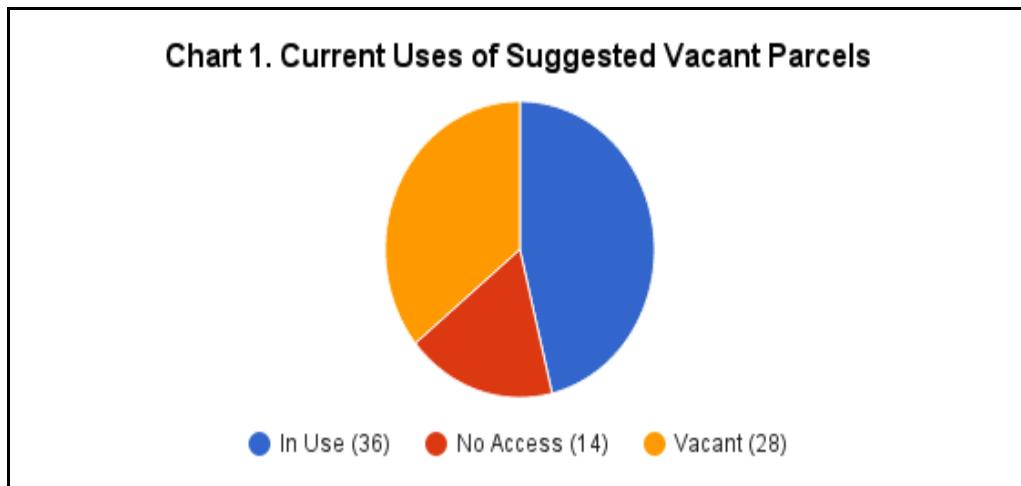
$$PV=[SIZE] \times 12,100$$

$$PT=[PV] \times [TR]$$

To determine the potential loss of revenue to the County should all 30 of these parcels enter into AB 551 contracts, the sum of the *Potential Tax (PT)* amounts was subtracted from the sum of the *Current Tax (CT)* amounts. That difference represents only the potential loss of revenue in 2015. In future years, tax rates and/or the value of irrigated crop land per acre may rise or fall, as may the full assessed value of any of the study parcels, thereby altering the calculations for potential loss of revenue.

FINDINGS & ANALYSIS

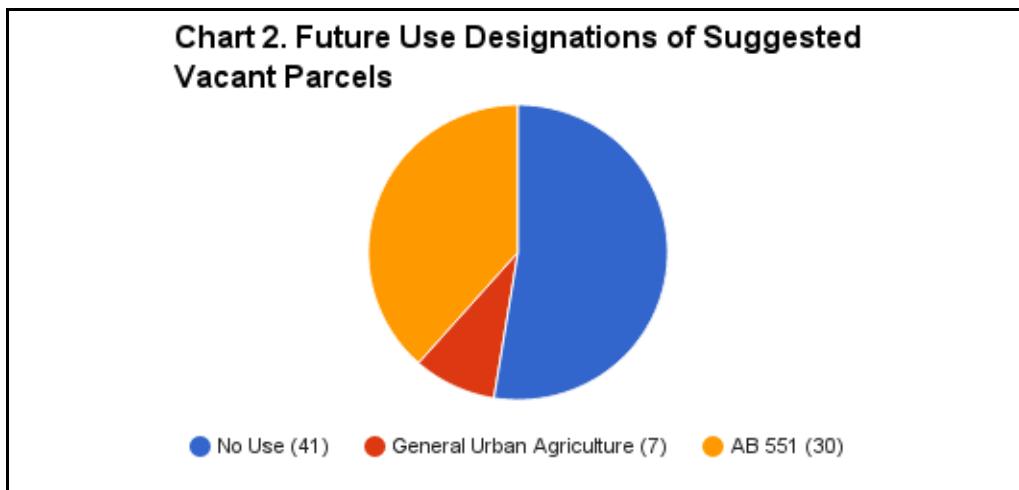
Of the 78 parcels initially suggested to be vacant, 28 were vacant, 36 were in use, and 14 were inaccessible to surveyors because they lacked frontage along a public right-of-way. (See Chart 1)



Not all of the 28 parcels found to be vacant, however, were eligible for AB 551 consideration. Seven of the vacant parcels were zoned for either commercial or industrial use, rendering them ineligible. They were instead acknowledged as having urban agriculture potential that could not be realized without changes to the existing County zoning regulations governing properties zoned for commercial and industrial uses. The remaining 21 vacant parcels were classified as AB 551 eligible. (See Chart 2)

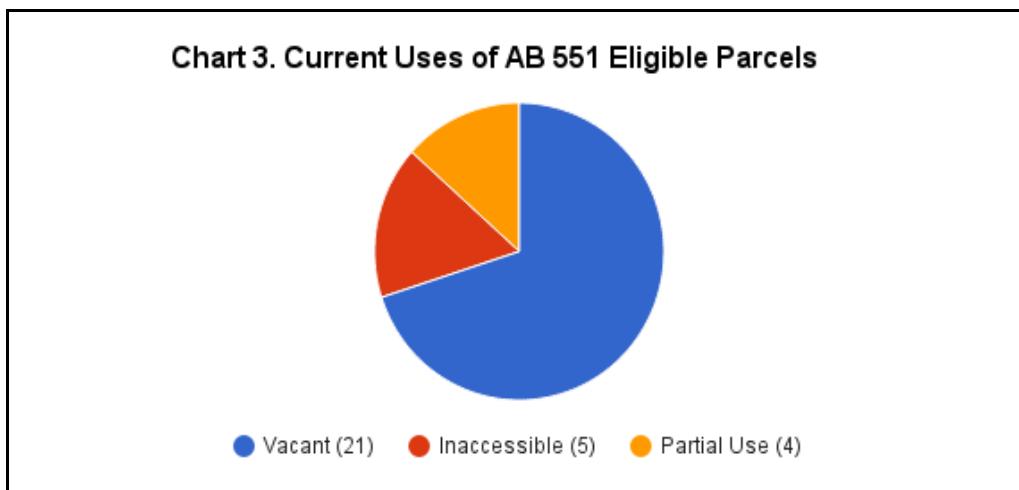
⁵ Tax rates applied to the eligible parcels were either 1.1339% (0.0113) or 1.0874% (0.0109).

In contrast, there were nine parcels that were not identified as vacant that the Council classified as being AB 551 eligible. It was concluded that the 41 remaining inaccessible or in use parcels have no urban agriculture potential at all. (See Chart 2)



AB 551 Eligible Parcels

Of the 30 AB 551 eligible parcels, 17 are in Ashland and 13 are in Cherryland. Their average sizes are 0.205 acres and 0.273 acres, respectively. Their combined acreage totals 6.83 acres, with 4.1 acres in Ashland and 2.73 acres in Cherryland. This land is owned by 28 individuals. Twenty-one of the 30 AB 551 eligible parcels are currently vacant, five are inaccessible, and four are being partially used but without permanent structures. (See Chart 3)



Tax Relief Incentive

The Council found the tax relief incentive for the prospective property owners over the life of an AB 551 contract to be significant. Property tax savings for a single year, 2015, averaged 94.6% and was never smaller than 81% for any parcel. For the property owner of the largest and highest currently valued parcel, the 2015 property tax decreased 99.3% from \$4,273 to \$122.

If all eligible parcels surveyed were to enter into AB 551 contracts, the County's 2015 revenue loss would be approximately \$29,883. (See Table 2) Future loss calculations would be contingent upon any changes to the value of irrigated crop land per acre and to current tax rates. It is not clear what this loss of revenue would mean for the County.

Table 2: 2015 Property Tax Values for the 30 Eligible Parcels⁶

	Current	AB 551 Adjusted	Difference
Average	\$1,027	\$31	\$996
Median	\$793	\$24	\$769
Total Revenue	\$30,806	\$923	\$29,883

Benefits & Shortcomings

The Council considers the following potential benefits for Ashland and Cherryland should AB 551 be implemented and the eligible parcels identified by the Council enter into AB 551 contracts:

1. The property tax savings incentive could be significant for property owners;
2. The Eden Area Livability Initiative Agriculture & Environment (EALI) project goals relating to food literacy, community gardens and other food system work could be achieved;
3. Relationships could be established and strengthened between diverse sets of partners, such as local government, local businesses, schools, community organizations, and residents;
4. Public safety could be enhanced through the aggregation of community and creation of safe spaces for residents;
5. Block-level food security could be realized due to the random distribution of AB 551-eligible parcels throughout the communities;
6. Effective stewardship could reduce community blight, encourage neighborhood investment, and increase proximal property values; and
7. Opportunities for economic development with a food production focus could arise.

AB 551 also has shortcomings that suggest it alone may not be the most effective way to increase local healthy food access through the expansion of urban agriculture opportunities. These shortcomings include:

1. Revision of existing local zoning regulations would be necessary for vacant parcels that are zoned for commercial or industrial use to become eligible for AB 551 contracting;
2. Further identification of eligible parcels and any subsequent contract initiations could require significant personnel investment for research, promotion, management, and compliance monitoring;
3. Management costs for the parcels under contract are unknown and potential funding sources are not suggested in AB 551; and
4. Due to the five-year contract duration, food production could be temporary, contrary to the ACFPC goal of achieving long-term food security.

The potential benefits of local AB 551 implementation significantly outweigh any shortcomings the bill may possess. Specifics regarding site design, management, compliance, and funding can be addressed through AB 551 contracts that reflect the intent of the County ordinance.

⁶ All values are rounded to the nearest dollar.

CONCLUSIONS & RECOMMENDATIONS

Through the ACFPC Vacant Land Survey, the Council has learned a lot about the potential for local implementation of AB 551. Because the Council mission is aligned with the vision of the Eden Area Livability Initiative (EALI), particularly the project to “advocate for infill, pocket parks, and community gardens,” it was important to determine how AB 551 might foster the realization of our shared goals. The Council finds that AB 551 has numerous potential benefits and therefore supports its implementation in the planning areas that affect Ashland and Cherryland.

Last August 2014, San Francisco became the only jurisdiction in the state to implement AB 551, and by the end of 2014, they approved the first AB 551 contract. This allowed a property owner to work with the Urban Permaculture Institute of San Francisco to turn their vacant lot into a publicly accessible permaculture garden (Sabatini, 2015). It is recommended that County leadership look to San Francisco for AB 551 implementation strategies.

The Council finds, however, that AB 551 implementation would most effectively address local food access issues by complementing other possible urban agriculture policies and programs. In order to maximize the potential of AB 551, the Council recommends that the County adopt further policies and programmatic strategies that promote agricultural and community development with a focus on increased food security for low-income residents. Successful models that the County could look to for insight and inspiration include urban agriculture programs in the cities of New York and Detroit.

The *GreenThumb Community Garden* program is in New York City. It is a vacant land licensing program that allows local residents to clean up vacant parcels and turn them into community gardens (GreenThumb, 2015). *GreenThumb* staff provides free gardening workshops and resources that educate residents on low-input/high-yield agriculture practices. This program is a part of the New York City Department of Parks & Recreation and is federally funded through the Community Development Block Grant program (*Ibid*).

Detroit, Michigan, employs a different strategy for transforming vacant land into urban agriculture. In September 2014, the Detroit City Council agreed to set aside 10,000 city-owned, blighted and vacant lots for urban agriculture through the Detroit Land Bank Authority (Lewan, 2014). Residents are able to purchase vacant parcels for \$100 each, and food entrepreneurs have seized this opportunity to create for-profit urban farms that promote sustainable economic development and increase local food production (*Ibid*).

These types of program models, or others like them that partner increased food production and food-centered economic development with a sustainable stream of funding and strong municipal support, could augment AB 551 implementation to more thoroughly address the healthy food access issues in our local community. The Council recommends that the County AB 551 ordinance align itself with emerging land use policies, such as those developing in the EALI process, that increase healthy food access through urban agriculture opportunities. Furthermore, the Council recommends that County leadership continue to work collaboratively with the ACFPC and other community groups to ensure that AB 551 implementation addresses the needs of Ashland and Cherryland residents. The success of AB 551 will depend significantly upon strong and effective partnerships between community organizations and local government. Through collaboration and determination, our shared goals of increasing access to healthy food through the expansion of urban agriculture in Ashland and Cherryland can be realized.

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