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TO: Detroit City Council

FROM: David Whitaker, Director 
Legislative Policy Division

DATE: October 2, 2024

RE: Community Land Trust Policy & Agreement

The Legislative Policy Division (LPD) has been requested by Council Member Latisha Johnson to provide a draft policy and/or agreement between the City of Detroit (City) and the Detroit Land Bank Authority (DLBA) regarding the development of community land trust in the city of Detroit.

As indicated by the National League of Cities (NLC), “a community land trust is a non-profit, community-based organization that acquires and stewards land permanently for the common good.”¹ Community Land Trust can be utilized to help established affordable housing, urban farming, or maintaining community space or asset.

In developing a policy between the City of Detroit and the Detroit Land Bank Authority, LPD notes the current Memorandum of Understanding between the two entities is currently being negotiated. This proposed policy and program for the development of community land trust could be included within the amended MOU document. LPD submits the following proposed policy as requested by Council member Johnson for consideration.

If we can be of further assistance, please call upon us.

¹ National League of Cities, Community Land Trust a Guide for Local Governments. https://www.nlc.org/wp-content/uploads/2021/08/Community-Land-Trusts_A-Guide-for-Local-Governments_Report-1.pdf

CITY OF DETROIT AND DLBA
COMMUNITY LAND TRUST PROGRAM

The DLBA agrees to develop a program that will assist community organizations with a federal Section 501(c)3 status that have created and established a legal community land trust (CLT) an opportunity to acquire land from the DLBA at little or no cost for the purpose of urban farming, commercial development, and affordable housing.

The DLBA Community Land Trust Program shall include guidelines for eligible community land trust organizations including but not limited to:

- (i) Community Land Trust must be established under a legally established federal 501(c)3 pursuant to Section 501(c)3 of the Internal Revenue Code.
- (ii) The specific purpose, plan and strategy for the use of the land must be provided and submitted to the DLBA and City.
- (iii) The proposed cost associated with proposed use, including any development, construction, maintenance and landscaping of the proposed use of the land and plan to achieve the respective purpose.

Prior to the sale and transfer of property from the DLBA to the established CLT, the DLBA shall present the proposed land sale to the City of Detroit for approval by the Detroit City Council detailing the legal status of the community land trust; the purpose and use of the proposed land being sold to the CLT; and the proposed plan to achieve the CLT's purpose.

The City of Detroit shall, provide funding to an eligible community land trust, equivalent to the amount it would cost in maintaining the vacant land for landscaping, illegal dumping, and site preparation.