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TO: The Honorable Detroit City Council

FROM: David Whitaker, Director  
Legislative Policy Division Staff 

DATE: September 2, 2025

RE: **DRAFT COMMUNITY LAND TRUST ORDINANCE**

City Council Member Latisha Johnson has requested the Legislative Policy Division (LPD) draft a Community Land Trust ordinance. A draft of the ordinance is attached for submission to the Law Department for review and approval as to form.

Please reach out to us if we can be of further assistance.

**S U M M A R Y**

**AN ORDINANCE** to amend Chapter 22 of the 2019 Detroit City Code, Housing; by adding Article XI, *Community Land Trust*; Section 22-11-1, *Purpose*; Section 22-11-2, *Definitions*; Section 22-11-3, *City of Detroit Community Land Trust Program*; Section 22-11-4, *Community Land Trust Program Guidelines*; to provide for the health, safety and general welfare of the public.

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AN ORDINANCE to amend Chapter 22 of the 2019 Detroit City Code, Housing; by adding Article XI, *Community Land Trust*; Section 22-11-1, *Purpose*; Section 22-11-2, *Definitions*; Section 22-11-3, *City of Detroit Community Land Trust Program*; Section 22-11-4, *Community Land Trust Program Guidelines*; to provide for the health, safety and general welfare of the public.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT

THAT:

Chapter 22 of the 2019 Detroit City Code, Housing; by adding Article XI, *Community Land Trust*; Section 22-11-1, *Purpose*; Section 22-11-2, *Definitions*; Section 22-11-3, *City of Detroit Community Land Trust Program*; Section 22-11-4, *Community Land Trust Program Guidelines*, to read as follows:

## CHAPTER 22, HOUSING

### ARTICLE XI, COMMUNITY LAND TRUST

#### Section 1.

##### Section 22-11-1 Purpose,

The City of Detroit Community Land Trust Program assists eligible community organizations that have created and established community land trusts to provide long-term affordable residential development, community urban farms, and community gardens. The program is designed to assist eligible community land trusts in acquiring publicly owned property and resources to that end.

##### Section 22-11-2, Definitions

*Affordable Housing* means affordable low-income housing as defined in

Article 2 of Chapter 22 of this Code.

Community land trust or CLT means a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code, being 26 USC 501(c)(3), that is based in the city of Detroit and has the primary purpose of developing and maintaining affordable housing, community urban farms, or community gardens, for the benefit of a specific geographic community. A CLT must also meet the following eligibility criteria:

- (i) The CLT must demonstrate at least a five-year track record of experience in the proposed development type or has partnered with an independent agency as a consultant or technical assistance provider with a proven five-year track record of experience in the proposed development type.
- (ii) The CLT is open to any adult resident within the CLT's geographically defined community. All individuals must provide explicit and written prior consent to become members of the CLT. No individual shall be automatically enrolled in the CLT without said consent.
- (iii) Except for CLT's established prior to the effective date of this ordinance, the Board of the CLT shall include representation from the geographic community and consist of ONE of the following:
  - (a) At least one-third is elected from residents who reside in the CLT's geographic community.
  - (b) At least one-third is elected from community organizations that

provide services to low-income residents in the geographic community or are representatives of low-income residents within the CLT's geographic community.

(iv) The CLT acquires parcels of property throughout its geographically defined community with the intent of retaining ownership for at least 89 years for the purpose served by the proposed development type.

(v) The CLT uses enforceable mechanisms to require housing and related improvements on property held by the CLT to be for affordable housing for at least 89 years.

CLT Development Hold means property identified by the Mayor and approved by the City Council to be utilized in the Community Land Trust Program, which may include property provided by the Detroit Land Bank Authority or other public entities for purposes under this article.

Development Type means a project in which the preliminary development plan is to provide affordable housing, community urban farms, or community gardens.

Qualified Consultant or Technical Assistance Provider means, as determined by HRD, an entity with expertise and a proven track record in providing assistance in the type of project proposed in the preliminary development plan or assisting in the establishment of Community Land Trusts.

### Section 22-11-3 City of Detroit Community Land Trust Program

The City of Detroit Community Land Trust Program is hereby created and

1 shall be administered through the City of Detroit's Housing and Revitalization  
 2 Department (HRD).

3 a. HRD shall have the authority to:

4 i. Develop administrative rules necessary for program implementation;

5 ii. Modify administrative rules and standard operating procedures as  
 6 needed to align with eligibility requirements and the purposes of this  
 7 Article; and

8 iii. Enforce compliance with the program requirements.

9  
 10 Section 22-11-4, Community Land Trust Program Guidelines

11 (a) A CLT under this program shall be provided with an opportunity to  
 12 acquire eligible property identified by the City of Detroit for purposes  
 13 under this Article. Property identified under the program owned by the  
 14 City of Detroit shall be purchased by a CLT at fair market value as  
 15 required under this Code. Property identified under the program which is  
 16 owned by the Detroit Land Bank Authority (DLBA) shall be purchased at  
 17 the discounted percentage rate provided by the DLBA.

18 (b) For property to be acquired or held under this section, a CLT must  
 19 provide HRD with the development type, preliminary development plan,  
 20 and strategy for the use of the property and shall also include:

21 (i) A detailed five-year track record of developments that are aligned  
 22 with the proposed development type;

23 (ii) Evidence that the CLT has the experience or is receiving the

- necessary technical support or assistance from a qualified consultant or technical assistance provider; and
- (iii) Three letters of recommendation including one from either a City Council Member At-Large or the City Council Member of the City Council District in which the CLT is located and at least one letter from a registered City of Detroit Block Club, Community Advisory Council, or the Mayor's Office.
- (c) CLT Development Hold. A CLT Development Hold may be approved for property identified by the City of Detroit that is to be utilized in the CLT Program and may include property that is provided to the City of Detroit by the Detroit Land Bank or other public entities. (except where City Council authorizes a subsequent hold. Except where City Council authorizes a subsequent hold, any property that has been previously reserved or secured under the CLT Program shall not be subject to a subsequent CLT Development Hold.
- (d) CLT Development Hold Period. The CLT Development Hold period shall not exceed a duration of two years, unless an extension is granted by HRD and approved by the City Council. The CLT Development Hold shall expire at the end of the Development Hold period and the property shall then become available for sale or transfer.
- (e) CLT Development Hold Requirements. Property that has been reserved or secured under a CLT Development Hold shall not be sold or transferred unless the CLT Development Hold expires, the CLT

1 relinquishes the property, or the CLT fails to meet the requirements  
2 established by this ordinance.

3 (i) To secure property under a CLT Development Hold, the  
4 CLT must demonstrate feasibility to the HRD by submitting  
5 a preliminary development plan which includes, but is not  
6 limited to, a verified cost estimate, implementation  
7 timelines, and viability justification that demonstrates that  
8 the scope and scale of the proposed development justifies the  
9 number of parcels requested.

10 (ii) Based on the preliminary development plan, HRD shall  
11 determine whether the viability of the plan justifies the  
12 number of parcels requested. The City of Detroit will sell or  
13 transfer no less than 10 parcels (except for a community  
14 urban farm or community garden) but not more than 50  
15 parcels per transaction to a CLT as determined by HRD and  
16 approved by the City Council.

17 (iii) During the CLT Development Hold Period, the CLT must  
18 provide full financing commitments, site plan approval, the  
19 full development plan, a balanced sources and uses  
20 statement, and operating proforma with adequate debt  
21 coverage.

22 (iv) If the CLT fails to fulfill the requirements of this subsection  
23 prior to the expiration of the hold period, the subject hold



will be released and the property may be made available for purchase by other potential buyers.

(v) If the City of Detroit allocates funding for the Community Land Trust Program, a CLT that has or will receive a transfer of property from the City and has fulfilled all of the requirements provided under this Article, may receive funding designated for CLTs for the following:

a. Pre-development activities

b. Site preparation

c. Nonstructural blight removal

(vi) Approval by the Detroit City Council is contingent on the legal status of the CLT; the purpose and use of the proposed property being sold to the CLT; and the proposed plan to achieve the CLT's purpose.

**Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are repealed.

**Section 3.** This ordinance is declared necessary for the preservation of the public peace, health, safety, and welfare of the people of the City of Detroit.

**Section 4.** If this ordinance is passed by a two-thirds (2/3) majority of City Council members serving, it shall be given immediate effect and shall become effective upon publication in accordance with Section 4-118 of the 2012 Detroit City Charter; if passed by less than a two-thirds (2/3) majority of City Council members serving, it shall become effective no later than thirty (30) days after publication in accordance with Section

1 4-118 of the 2012 Detroit City Charter; if this ordinance specifies a certain date to become  
2 effective, it shall become effective in accordance with the date.

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4 Approved as to form:

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6 Conrad L. Mallett, Jr.  
7 Corporation Counsel

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