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# GREEN HIGHLIGHTS IN 2012 REVISED DETROIT CHARTER

THREE SECTIONS IN THE CURRENT CITY CHARTER HAVE SPECIFIC IMPLICATIONS FOR ENVIRONMENTAL HEALTH.

In our charter, we have the tools of publicly voted mandate to establish citywide recycling, a city-led comprehensive environmental policy, and a Green Initiatives and Sustainable Technologies plan.

The city’s financial challenges and the presence of an Emergency Manager who has the authority to bypass the voter-approved charter present barriers to implementation.

However, where recycling, coordinated environmental policy, and support for green initiatives and sustainable technologies can help build financial and ecological sustainability for City operations, spur economic development, and improve resident well-being, these activities should be pursued.



**Charter of the City of Detroit**  
January 1, 2012  
(Adopted by Vote of the People on November 8, 2011)

Source: City of Detroit Charter

**SECTIONS 6-501 AND 6-502** instruct the Buildings, Safety, Engineering and Environment Department (BSEED) to develop and implement a comprehensive and coordinated environmental policy to conserve and protect the city’s natural resources for the health, safety, and welfare of the people of Detroit.

**SECTION 6-509** instructs BSEED to develop a “Green Initiatives and Sustainable Technologies” plan to establish and support green initiatives, technologies, and businesses.

**SECTION 7-403** instructs the Department of Public Works to prepare, implement, and update as necessary a comprehensive citywide Recycling Plan for the City of Detroit that provides for the capture of the city’s waste stream prior to disposal.

**SECTIONS 9-101 TO 9-103** describe the purpose, composition, and responsibilities of Community Advisory Councils (CAC), which are meant to improve citizen access to City government. District-based CACs are established by ordinance by petition of city residents to City Council.

# DETROIT GREEN POLICY CASE STUDIES

## EXAMPLES OF GREEN ORDINANCES

City Council has passed several recent ordinances and resolutions that are intended to make Detroit a healthier and greener city. They are marked by great public/nonprofit/philanthropic/interagency collaboration, and ongoing monitoring and troubleshooting. Following are three examples.

### ANTI-IDLING ORDINANCE (2008)

**Issue:** Diesel truck emissions are harmful to human health. Unnecessary idling causes even dirtier emissions because the catalytic converter cannot work properly. In addition to air pollution, idling wastes fuel, elevates noise levels, and shortens the life of the engine. Reducing idling would conserve fuel, save companies money, and protect neighborhood health, as well as the health of the driver.

**Solution:** Adopted an anti-idling ordinance that allows Detroit Police Department (DPD) traffic enforcement to ticket commercial trucks idling for longer than five minutes in a 60-minute period. Fines are \$150 for the driver and up to \$500 for the owner. Up to three tickets can be issued in an hour.

### CHALLENGES BEING ADDRESSED IN ANTI-IDLING WORK GROUP

- DPD was targeting commercial delivery trucks in Eastern Market instead of focusing on unnecessary idling near residential areas, which was the intent
- There is no specific number for residents to call to report a violation
- There needs to be an efficient system for identifying hot spots for idling violations
- Companies did not know about the ordinance and were upset

### DETROIT LEAD ORDINANCE (2010)

**Issue:** Landlords are required to disclose known lead hazards to renters, but not required to find out if there are lead hazards in rental properties. Lead inspections were only triggered when a child was found to have already been lead-poisoned.

**Solution:** Adopted a Detroit lead ordinance as part of the property maintenance code, which requires landlords to conduct annual lead inspection/risk assessment and address lead hazards in order to obtain certificate of occupancy.

### CHALLENGES BEING ADDRESSED IN LEAD ENFORCEMENT WORK GROUP

- Good landlords felt punished because the City is behind on enforcement
- State list of lead inspectors/risk assessors distributed by the City included companies that were not providing proper inspection reports, which were rejected by the City, and landlords had no way of getting their money back
- There is supposed to be a second clearance inspection after lead abatement, which has been very difficult to do because inspectors cannot get back into the house
- Some landlords (such as elderly) cannot afford lead abatement, which can cost tens of thousands of dollars

### URBAN AGRICULTURE ORDINANCE (2013)

**Issue:** Urban gardens and small farms—and possibly even large farms—have been growing in popularity as ways to productively use vacant land and grow healthy food. However, the City did not have legislation to make it a legal activity or to regulate it properly.

**Solution:** Adopted an Urban Agriculture Ordinance that allowed agricultural activities such as gardens, hoop houses, farms, and farm stands as conditional or by-right land uses in various zoning designations.

### CHALLENGES BEING ADDRESSED

- Resolve whether allowing agricultural uses in existing zoning designations adequately allows the City and neighborhoods to use planning and zoning to create a long-term vision for urban agriculture in Detroit.

*Other ordinances not described in detail here include the Green Purchasing Ordinance (2011), Vacant Property Ordinance (2010), Food Security Policy (2008), New Business Model for Solid Waste Management (2008), Non-Motorized Plan (2006). Two additional ordinances under review at the Law Department are the Good Food Ordinance and Complete Streets Ordinance. In Detroit's strong mayor form of government, the impact of council resolutions and ordinances would benefit from equal support by the administrative branch.*

# SUGGESTIONS FOR DETROIT FUTURE CITY

Detroit Future City has developed a thoroughly researched guide for reform and investment in making our city more efficient, green, and livable. The Detroit Environmental Agenda suggests five priorities that must happen to ensure that DFC is implemented in a manner that upholds environmental justice and sustainability.

1. Establish a clear, transparent structure for coordinating neighborhood planning processes, the City’s 2009 Master Plan, and the Detroit zoning ordinance and map with Detroit Future City recommendations. The Detroit Future City’s 50-year land use vision and framework analysis map provide citywide guidelines within which neighborhood planning efforts must determine local priorities, especially in moderate or high-vacancy residential areas that are envisioned for radically different uses. Significant steps have been taken by the Detroit Planning and Development Department (PDD) to partner with CDAD Neighborhood Revitalization Strategic Framework Pilot areas and LISC Sustainable Communities pilots to develop a process for officially adopting community-driven neighborhood plans into the City’s master plan. PDD has also convened a small stakeholder working group to develop a guide to community planning. The City of Detroit has an important, publicly accountable role to play in leading these efforts, and should be supported by Detroit Future City.

- See page 106 of DFC: Framework Zones Map
- See page 119 of DFC: 50-Year Land Use Scenario Map
- See page 145 of DFC: Blue and Green Infrastructure Map
- See page 149 of DFC: Neighborhood Planning Reform

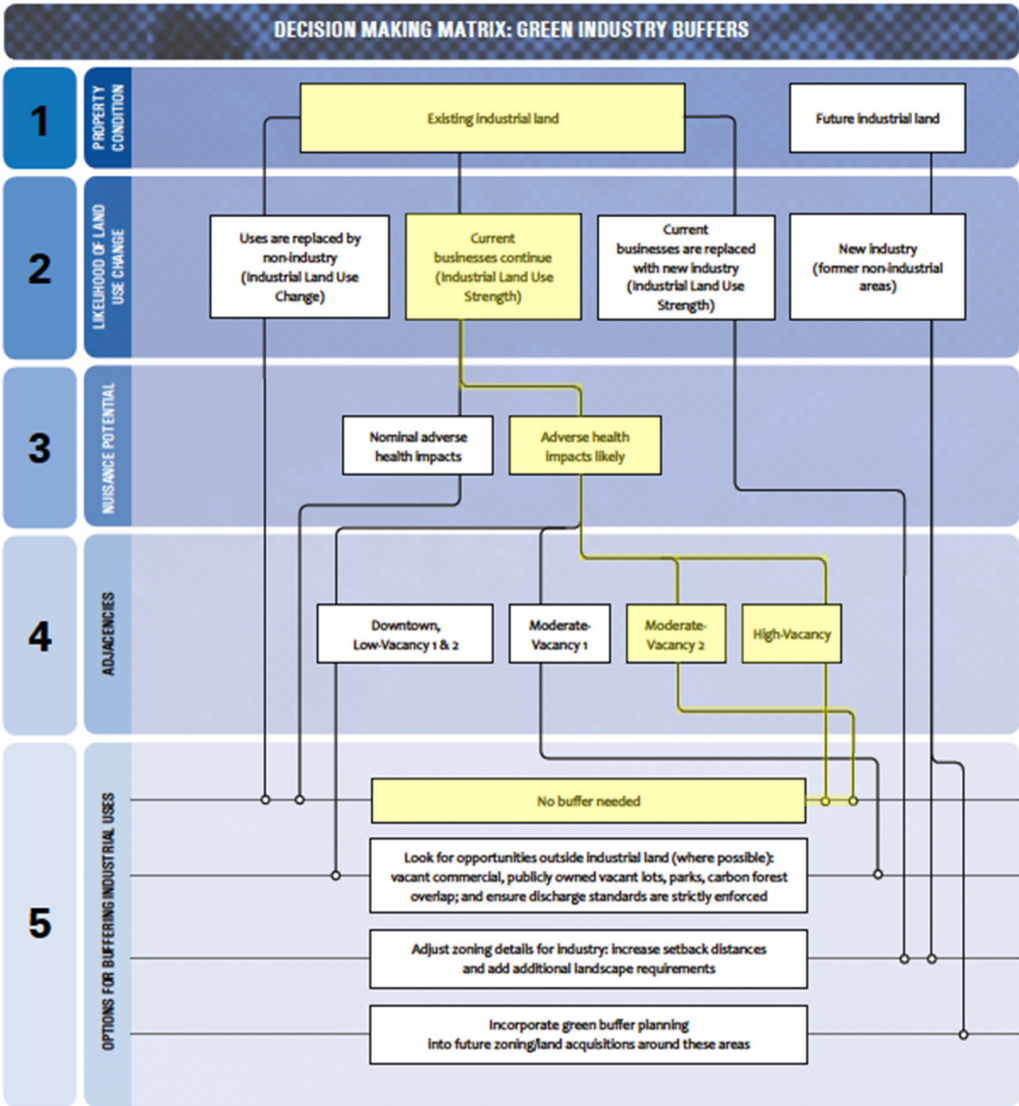
2. Partner with environmentally distressed neighborhoods near heavy industry to develop a plan to protect residents while encouraging economic growth.

There are several residential neighborhoods adjacent to land zoned for heavy industry; these areas are often high vacancy, but with a large percentage of homes owned free and clear by occupants. The Detroit Future City framework recommends taking advantage of the existing infrastructure and logistical assets of industrial zones to expand industrially zoned land for economic growth.

- See page 48 of DFC: Primary Employment Districts (Southwest-Industrial) Map

Later in the document, it also outlines a decision-making matrix for locating industrial-pollution buffers. The matrix states that industrial buffers are not needed for highly vacant residential areas near existing industry. This recommendation should be further assessed with the participation of affected communities.

- See page 303 of DFC: Decision Making Matrix: Green Industry Buffers (shown on right)





3. Relatedly, there are strong recommendations to streamline the City’s regulatory framework, such as permitting processes, to encourage more investment in Detroit.

There is no question that we need more efficient and business-friendly policies. However, decision-makers must make special effort to protect natural resources and public health in making these reforms; improved efficiency should not mean lax regulation. This is important, because behind-the-times zoning has left communities like Delray and 48217 in polluted limbo adjacent to deeply vested heavy industry, and unclear liability has delayed the completion of the east RiverWalk at the former Uniroyal site, which was left heavily contaminated for decades.

- See page 30 of DFC: 21st Century Regulations
- See page 147 of DFC: Enact Innovative Regulatory Reform
- See Data Driven Detroit’s TRI Air Emissions and Housing Condition Map (shown on right)

4. Green up solid waste management. Through recycling, composting, and reducing waste in general, we have the opportunity to reduce service costs and improve our city infrastructure systems.

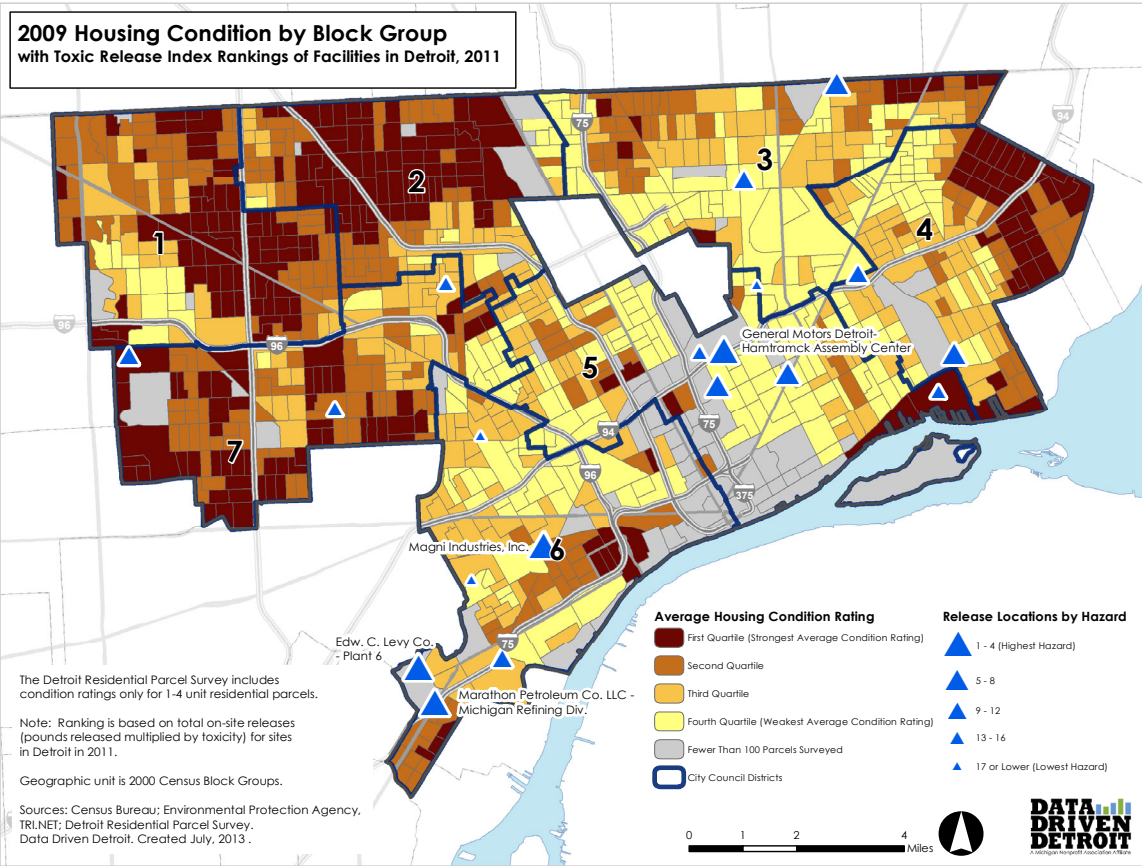
The Detroit Future City plan errs by assuming that the City bears responsibility for the continuing operation of the incinerator at I-94 and I-75. DFC and the City should prioritize alleviating the environmental justice burden the surrounding community bears in hosting the incinerator.

- See page 198 of DFC: Reduce Waste and Increase Recycling-Incinerator Recommendation

5. Minimize demolition waste by aggressively supporting deconstruction.

Detroit Future City implementation will require unprecedented levels of demolition; much of it will be city-owned buildings. Detroit Future City must ensure that the much-needed takedown of dangerous abandoned buildings maximizes waste diversion through salvage, reuse, and recycling. Currently, 60% to 80% of Detroit’s waste is from demolition, most of which goes to the landfill. We can reuse or recycle C&D waste; for example, San Francisco recycles over 80% of all construction and demolition waste.

- See pages 244–45 of DFC: Urban Green Neighborhoods Today/in 50 years
- See page 269 of DFC: Public Land Ownership by Vacancy



The icons on this map represent Detroit’s on-site emissions ranked by hazard level (lbs x toxicity).

The top 4 in hazardous emissions are Edw. C. Levy Co. (produces steel furnace slag), Marathon Petroleum Co. Oil Refinery, and Magni Industries in District 6, and the GM Detroit-Hamtramck Assembly Center in District 5.