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July 26, 2024

HONORABLE CITY COUNCIL

**RE: Zoning Ordinance Text Amendments for animal husbandry (animal keeping)
(RECOMMEND APPROVAL)**

PROPOSAL

The guiding principles in this initiative have been to:

1. Encourage practitioners to conform to a uniform policy of best practices and rein in current activity.
2. Protect the health, welfare and safety of the community.
3. Decriminalize animal and bee keepers.
4. Facilitate a more sustainable and localized food system.

Animal Husbandry and Beekeeping Proposal

Below is a summary of the proposed amendments for the ordinance:

- To define animal husbandry and beekeeping as the keeping of certain urban farm animals and domestic honey bees for personal consumption or utilization of agricultural products such as eggs, meat or honey.
- To exclude standards from being appealable to the Board of Zoning Appeals.
- To allow for animal husbandry and beekeeping exceptions as a principal use by requiring a conditional land use hearing where operated by a municipal agency, 4-H program or by an educational non-profit in the R1, R2, R3, R4, R5, R6, B1, B2, B3, B4, B5, B6, M1, M2, M3, M4, M5, PC, PCA, TM, PR, SD1, SD2, MKT, and SD4 zoning districts.



One lot at 12K sqft

- 5 ft setbacks from lot line
- 30 ft setbacks from neighbors house
- Animals cannot roam free, must be enclosed
- Must be in the rear of property
- Setback from rear property line if no alley present

- To allow animal husbandry and beekeeping as an accessory use in R1, R2, R3, R4, R5, R6, B1, B2, B3, B4, B5, B6, M1, M2, M3, M4, M5, PC, PCA, TM, PR, SD1, SD2, MKT and SD4 zoning districts.
- To specify that animal husbandry and beekeeping are permissible only as an accessory use for individuals and entities with the following principal uses:
 - (1) All residential uses
 - (2) All agricultural uses
 - (3) Schools
 - (4) Educational institutions
 - (5) Standard Restaurants (where in compliance with state law)
 - (6) Civic or cultural buildings on land zoned PC or PCA
- To specify maximum numbers for animal husbandry and beekeeping as follows:
 - Ducks/Chickens as an accessory use to residential:**
8 (eight) maximum combined
 - Honey bee Hives as an accessory use to residential:**
4 (four) hives maximum
 - Ducks/Chickens, Gardens and Farms accessory use only:**
12 (twelve) maximum combined; roosters are prohibited
 - Honey bee Hives, Gardens and Farms accessory use only:**
Urban Garden of ½ acre minimum: 6 (six) honey bee hives permitted
Urban Farm of 1 (one) acre minimum: 8 (eight) honey bee hives permitted
An urban garden or farm may have 1 (one) honey bee hive in addition to the limits set forth, for each additional acre that exceeds one acre.

Dimensional Standards/Setbacks

Chickens/Ducks

- (1) 30-foot setbacks from neighboring dwelling.
- (2) 5-foot setbacks from side/perimeter property line.
- (3) If alley is present no rear setback is required. If no alley, 5 foot setback is required.

Honey bees

- (1) 25-foot from property line (if no flyway barrier)
- (2) 5-foot from any perimeter property line (with flyway barrier)
- (3) If alley is present; no rear setback is required. If no alley, 5 foot setback is required.

Additional Chapter 50 Provisions

- To specify shelter and enclosure spaces for animal husbandry to have a maximum of 200 square feet.
- To require notice to be sent to abutting property owners and occupants.
- To require fencing plus screening by an opaque fence, shade cloth, or vegetative material or shrubbery if adjacent to a residential dwelling

Summary of Proposed Chapter 6, Animal Care, Control, and Regulation provisions

The following is summarized language that is proposed in the **Chapter 6 proposed amendments:**
Care of animals

- Shelters- shall be roofed (e.g. as a coop, garage etc.), ventilated, prohibit intrusion, be kept clean, prevent waste build-up.
- Enclosures- shall be confined in the rear of lot, kept clean, offer shade, provide water, be designed to prohibit intrusion by predators.
- Food Storage- shall be secure from pests, stored on raised platforms, prevent intrusion, and spilled or spoiled feed must be cleaned immediately.
- Waste Management- Shelters and enclosures shall be kept clean and dry. All manure shall be removed every 1-3 days. Bedding or grass/vegetation shall be provided.
- Compost- shall be kept in secure covered containers and stored at the furthest point from neighboring lots.
- Pest and Vermin- Pests shall be proactively mitigated through the elimination of trash and debris and other measures.
- Tagging- Animals shall be banded and hives shall have a fixed tag on the exterior of the structure.
- Health Documentation- It is unlawful to keep any animal or honey bee infected with a disease which is a health hazard to the community; health documentation is required upon request to assess health risk.
- Deceased Animals- must be disposed of promptly.
- Inspection Authority- The City shall have inspection authority to ensure compliance.
- Slaughtering- Slaughtering of animals shall only occur at licensed slaughter houses. Prohibited on residential properties and other properties not authorized to slaughter.

Steps to obtain a License

- Application- Must submit application for license, have legal control of property, pay license fee, provide basic info.
- Annual Fee- There will be an annual renewal fee. The fee schedule will be submitted by Animal Care and Control and approved by City Council.
- May Have No Current Violations- No person with outstanding animal keeping (animal husbandry) violations with City or 36th District Court.
- License Procedures- Licenses are non-transferable; application and fee must be submitted for renewal.

Corrective actions

- Procedures for Denial- If application is denied, the applicant is entitled to a hearing before the Administrator or officer.
- Show Cause Hearing for Suspension- If a license is to be suspended, the licensee shall be notified, and a hearing held.
- Immediate Threat- If there is an immediate threat to the health, safety and welfare of the public, the Administrator can immediately suspend a license and must notify the licensee.

Penalties

The current penalties for anyone found to be out of compliance with Chapter 6 of City Code are as follows:

Any person who is found guilty of violating this chapter shall be convicted of a misdemeanor for each ordinance violation that is issued, and, in the discretion of the court, may be fined up to \$500.00 and sentenced to up to 90 days in jail, or both, for each ordinance violation that is issued:

- (1) A fine of not more than \$100.00 for the first offense. For a first offense, the Animal Care and Control Division may require that an owner attend an Animal Awareness Program provided by the Animal Care and Control Division or the Michigan Humane Society. Proof of Completion of such training within 30 days of the citation shall negate the applicable fine;
- (2) A fine of not more than \$200.00 for a second offense occurring within six months of the first offense;
- (3) A fine of up to \$500.00 and relinquishment of any rights of ownership of the dog/animal for a third offense or later offense occurring within 18 months of the first offense.

CURRENT CITY CODE

Animal husbandry and beekeeping are currently prohibited in multiple sections of City Code:

Currently, Sec. 6-1-5 (a) of the City Code states, in part:

“Except as provided in Article VIII of this chapter, no person shall own, harbor, keep, or maintain, sell, or transfer any farm animal, or any wild animal, on their premises or at a public place within the City, provided, that such farm animal or wild animal may be kept in circuses, zoos, or laboratories, or non-profit organizations for educational purposes, subject to the approval of the City, where, at all times, the care or custody is under the care of a trained and qualified animal attendant whose responsibility shall be to see that such animals are securely under restraint.”

Additionally, Sec. 50-12-397 (1) of the Zoning Ordinance states in part:

The following farm products shall be prohibited from being produced on an urban garden or urban farm: “(1) Farm animals, as described in Chapter 6 of this Code, Animal Care, Control, and Regulation;”

To facilitate the keeping of certain farm animals, amendments to both Chapter 6 (Animal Care, Control, and Regulation) and Chapter 50 (Zoning) are required.

Right to Farm Act

The following are excerpts from a recent City of Detroit Law Department opinion on the Right to Farm Act as it relates to the proposed Animal Keeping ordinance before you for consideration. “The 1999 amendments to the Michigan Right to Farm Act broadly restricted local regulation of commercial farming operations. The amendments were clearly intended to preempt local governmental authority in this matter and have a unique preclearance mechanism to be invoked in the event a local government seeks to enact regulation conflicting with the statute. The [Michigan Department of Agriculture and Rural Development \(MDARD\)](#) has countered this preemption measure through its control of the Generally Accepted Agricultural and Management Practices (GAAMPs). This broad use of administrative authority has not been tested in court. However, so long as the current Site Selection GAAMPs are in place, the City is free to enact the urban farm ordinance as proposed” (see attachment).

Animal Husbandry and Beekeeping; Why?

As alluded to previously, urban agriculture is a major activity in the City of Detroit. Many long time Detroiters play a role in this community. The urban ag operations in the city range from large multi-acre farms cultivating produce, to urban gardens up to an acre that are integrated within communities, all the way down to the home backyard gardens for a typical small grower. All of these examples are an effort for citizens to grow, control and consume their own food and to have some level of autonomy in what they eat.

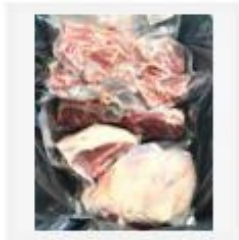
Similarly, there is a community of Detroiters that seek to incorporate certain farm animals into that food ecosystem. As people desire to grow food in gardens and farms, they also seek to take on animal husbandry and beekeeping to cultivate their own food and know where the food comes from, to have some level of food sovereignty within this ecosystem and to strengthen their food systems. The current inflationary market further exacerbates the need to cultivate localized food.

For clarity, the case for animal and honey bee keeping is not for the purpose of pet keeping, but for the food products that they produce. The species being considered in the ordinance are chickens (no roosters due to noise), ducks and also honey bees. These animals and honey bees produce eggs, meat products, and honey. Honey bees also pollinate plants which keeps food-producing plants growing, adding to the farm and garden ecosystem.



Eggs

Laying chickens and ducks produce 200-300+ eggs per year. They can sometimes produce 1 egg per day.



Meat

Meat chickens and ducks reach maturity for processing and consumption in 7 to 8 weeks.



Honey

Honeybees are used specifically for the honey that they produce. Honeybees also help to pollinate or reproduce our food plants (fruits, berries, etc.)



Education

Animal keeping (animal husbandry) in an urban context allows for citizens to be educated on cultivation of food and know where it comes from. It can also inform about other animal sciences.

History Of Animals In Detroit

The history of animal husbandry is closely associated with the history of urban agriculture in the City of Detroit. Urban agriculture was formally undertaken by CPC in 2006 led by former staff City Planner Kathryn Lynch Underwood. The City Planning Commission Formally adopted it as an initiative in 2010 and the urban agriculture ordinance effort was adopted in 2013, being strongly supported and sponsored at that time by current City Council President Pro Tem James Tate. The urban agriculture ordinance originally included animal husbandry provisions, however, the animal keeping portion of that ordinance was removed so that more discussion could take place in the community. This was over ten years ago and since then numerous conversations and public discourse have taken place on the topic.

As it relates to urban gardens and farms, these activities have a long history in the City of Detroit. [Urban Land](#) documents some of the history of the City supporting urban gardens and farms going back to 1893 when Mayor Hazen Pingree established an initiative for residents to start back yard gardens. Later there was a movement during World War II for urban gardens across the nation which Detroit took part in. The United States Department of Agriculture also campaigned for residents to keep backyard chickens in that era. It's estimated that during the war, 40 percent of all food produced in the U.S. came from local gardens and homes.

Mayor Coleman A. Young also spearheaded a Farm a Lot program in the 1970's to turn underutilized lots into urban gardens and farms. These gardens and farms were spurred for the purpose of producing fruits and vegetables and for beautifying communities by greening the city. Naturally as a part of the movement for more food independence, urban livestock has been included in these efforts to create more sustainable food systems.

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To Keep Hens and Raise Chickens**



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in the House Will Keep a Family
In Fresh Eggs**

EVEN the smallest back yard has room for a flock large enough to supply the house with eggs. The cost of maintaining such a flock is small. Table and kitchen waste provide much of the feed for the hens. They require little attention—only a few minutes a day.

An interested child, old enough to take a little responsibility, can care for a few fowls as well as a grown person.


Every back yard in the United States should contribute its share to a bumper crop of poultry and eggs in 1918.

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MAR 25 1975

An Idea We Dig

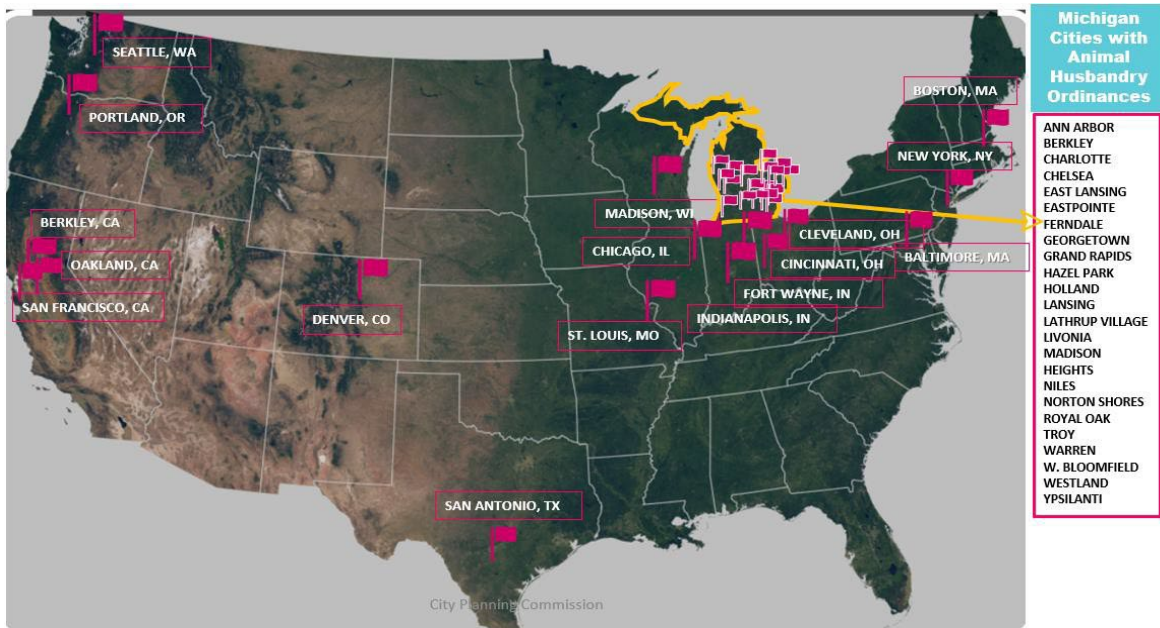
Like many another American city, Detroit has acre upon acre of eyesore vacant lots, noisome, rubble-strewn monuments to despair and decay. But unlike many places, Detroit has a mayor with the imagination and gumption to do something about it.

Mayor Coleman A. Young has launched a program called "Farm-a-Lot" that he hopes will result in the greening of a large number of Detroit's 3,000 city-owned vacant lots. All a Detroiters needs to do is ask, and he'll get permission to garden one of the lots. The average tract is big enough to grow all the vegetables that two or three families need, so one project makes economic as well as esthetic sense.

We dig Mayor Young's idea, and trust other towns will quickly copy.

As an outgrowth of these efforts, organizations such as Keep Growing Detroit (KGD) are continuing the same work for sustainable communities. In their recent support letter to the CPC (see attached), KGD provides more insight into the current garden and farm community along with the number of people they estimate as interested in keeping chickens, ducks or honey bees. As one of the leaders in the farming community, KGD estimates that there is currently a network of [2,300](#) urban gardens and farms in the City of Detroit. Through KGD'S programming that they facilitated last year, they found that 1,477 Detroit residents have expressed interest in keeping bees, chickens and ducks. KGD has a 'Chicken Keeping 101' class which they state has trained 119 Detroit residents in the keeping of urban livestock. Reasons that people desire to keep chickens, ducks and honey bees are for cultivation or food, religious significance, and pollination of plant life in urban gardens and farms. KGD estimates that there are currently up to 200 residents keeping bees in the city and notes that this bee keeping community has had few to no infractions with the city.

Animal husbandry and bee keeping are not new practices in urban, densely populated areas. There are many major urban cities that have adopted these ordinances. Cities from Oakland, California, to New York, New York, have adopted animal husbandry and bee keeping ordinances. The map below simply gives some examples of densely populated urban centers that have ordinances for the practice, but this map is not meant to be exhaustive, as there are hundreds of cities that allow animal and bee keeping. In Michigan alone, staff has counted at least two dozen cities that currently permit animal and/or bee keeping in residential backyards (see below).



Examples of cities that allow animal husbandry and/or bee keeping, but is not meant to be exhaustive

Equity in Detroit Food Systems

Research has found that inequities stemming from redlining continue to manifest throughout Detroit neighborhoods, including access to fresh and nutritious food, exacerbating food insecurity rates across the city.

Disparities in resource allocation have directly contributed to heightened food insecurity in Detroit. Census data indicate that [33.8%](#) of Detroiters live below the federal poverty line. Additionally, data from the Detroit Food Policy Council indicate [69%](#) of Detroiters are food insecure, a 7% increase since 2019. The development of community and backyard gardens have been key in supporting direct access to healthy, fresh, affordable, and local food. With less than [66](#) full line grocery stores located within the city, the need for supplemental access to fresh and local food has resulted in the increase in urban agriculture.

POLICY APPROACH

The approach to animal and bee keeping policy has been very intentional. The guiding principles have always been to protect neighbors and communities from deleterious impacts, consideration for the welfare of the animals and bees that are being kept and to allow for the animal and beekeeping practice to be permitted so that practitioners can reasonably cultivate food on some level and not be criminalized for it.

The majority of the regulations pertaining to the housing and care of animals are proposed in Chapter 6 of the City Code amendments. While those things pertaining to zoning, such as setbacks (spacing) and the zoning districts that would permit the practice, etc. will be found in the Chapter 50 City Code amendments.

The approach to this policy has also incorporated the feedback of many stakeholders from over a decade. There has been an internal working group comprised of all relative City offices and Departments which include the Office of City Council President Pro Tem James Tate, Animal Care

and Control, Law Department, Planning and Development Department, the Buildings, Safety Engineering, and Environmental Department and the City Planning Commission.

CPC staff has also worked with external partners during this effort such as Food Plus Detroit, the Detroit Food Policy Council, the Detroit Collaborative Design Center, the Michigan Department of Agriculture and Rural Development, and Michigan State University Extension.

The effort has also included a great amount of feedback from community stakeholders such as the animal keepers in support as well as the voices of those who oppose or have concerns. This feedback has been a crucial part of the work. Examples of how engagement from those with concerns has affected current policy, is that the original proposal included goats and rabbits, which have since been removed from the proposal in response to community feedback. These were major concessions to respond to community voices. Proposed setbacks and other provisions have stemmed directly from engagement work. Staff has researched a plethora of ordinances from other municipalities as well.

Animal Husbandry and Beekeeping Guild

To provide hands-on training, support and peer accountability, CPC staff proposed an Animal Husbandry Guild. The purpose of the Guild would be to serve as peer support for animal keepers; be a liaison to the City; and provide education and outreach to the broader community. The Office of President Pro Tem James Tate and Animal Control endorse the concept and have and would continue to play a role in the relationship between the Guild and the City. Detroit Food Plus, the Food Policy Council and other entities have been working to advance this alongside the City. The Guild's role will be to encourage training and compliance to City policy, create better community relationships and cohesion as the effort evolves, provide a network for resources and be a bridge between the animal and beekeeping community and City to foster a continued relationship.

Land Based Projects Interdepartmental Team

In addition to the Animal Husbandry Guild, the City currently has a [Land Based Projects](#) (LBP) interdepartmental team that includes CPC, BSEED, Planning and Development Department, Land Bank and other departments. The purpose of the LBP is to help facilitate urban agriculture, gardening, beautification and productive uses. The team plans to add animal husbandry to its mission upon adoption, to help facilitate these projects, coordinate with Animal Care and Control, help with any complaints, etc. The LBP currently has office hours that constituents are encouraged to attend for issues regarding ag related issues.

ANALYSIS

Animal Keeping's Impact on Property Values

Urban agriculture and animal keeping practices have gained attention due to their potential socio-economic benefits and contributions to community wellbeing. Several studies have examined the relationship between urban agriculture and property values. Contrary to common concerns that animal keeping and agricultural practices within cities might depreciate property values, research indicates the opposite effect. For instance, community gardens have been shown to significantly enhance neighboring property values by up to [9.4%](#) upon their initial implementation.

Additionally, as these gardens become more integrated into the fabric of the neighborhood, [property](#) values continue to rise, with the most substantial increases observed in economically disadvantaged areas. Additionally, studies have revealed that the inclusion of urban agriculture correlates with increased rental rates and higher rates of homeownership in surrounding areas.

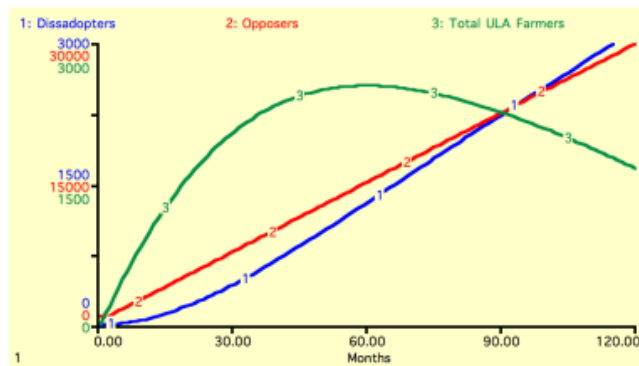
Furthermore, empirical evidence from a [report](#) on 54 community gardens in St. Louis, Missouri, highlighted the positive correlation between the presence of community gardens and enhanced home values, rents, owner-occupancy rates, and socioeconomic diversity amongst renters within a 0.3-mile radius. Many of these community gardens are tightly knit with animal husbandry as these practices are complementary for many urban growers. These improvements were relative to larger Census Tracts and the city as a whole over a ten-year period.

While specific studies on the impact of backyard fowl on property values are lacking, existing research suggests that the inclusion of backyard poultry and bee keeping generally does not have a detrimental effect on property values.

Anticipated Numbers and Impact on Neighborhoods

One question that was raised by City Planning Commissioners was regarding the ultimate impact on the city and how many people would be anticipated to partake in animal keeping. A [study](#) was conducted and grant funded by Michigan Applied Public Policy Research Program and Michigan State University and authored by Renee V. Wallace, Laura Schmitt Olabisi, and Kyle R. Metta. According to their modeling analysis and assumptions, the study projected that, “a small, but significant, minority of Detroit households could adopt chicken-keeping over a ten year period (between 1000 and 3000 households, out of 256,000 total households—approximately 1%)”.

In the simulation, if urban livestock adopters receive adequate support and training, social opposition dwindles to minimal levels after an initial adjustment period, and the number of households adopting urban livestock climbs continuously over the ten-year simulation. Based on this model and current numbers of possible animal and beekeepers estimated by organizations in the urban farming and animal keeping community, staff believe this figure to be a fair estimate or even possibly more than what we may see. Once a policy is adopted, we will have a better understanding after the first 1-2 years, to be able to project future numbers of animal and beekeepers.



CPC PUBLIC HEARING RESULTS & COMMUNITY ENGAGEMENT

On February 22, 2024, a lengthy public hearing was held at the City Planning Commission regarding this matter. A number of people in support and opposition of the ordinance spoke during the meeting. Based on staff’s recording there were approximately 26 people at the public hearing that spoke in support of the proposed ordinance. Conversely there were approximately 21 people that spoke in opposition to the ordinance.

Some of the reasons stated as to why people supported included the goals of adding to a sustainable community, the animal products that will be used as a food source, the animals’ importance on urban farms and gardens for composting, having the ability to keep animals for 4-H and non-profit

educational purposes. Some of the reasons that people opposed were due to concerns about property values, smells from the animals, noises, animals getting loose, spacing constraints, a city environment not being conducive for farm animals, etc. The vast majority of residents that spoke in opposition were from the 48217-zip code, although not all were. One honey bee keeping organization opposed the ordinance because it was stated that the ordinance is too restrictive.

Commissioners assigned staff numerous items to research during the public hearing. Staff continued engagement after this hearing, and came back to the Commission with answers to their questions which are represented in this report.

Past Engagement

2014-16 City Planning Commission City Wide Engagement

In 2016 the City Planning Commission staff held two city wide Listen and Learn community meetings which held up to 100 participants. Partners that helped in that effort included DCDC, Food Plus Detroit, Keep Growing Detroit, Michigan Community Resources, Greening of Detroit, Detroit Black Community Food Security Network, Georgia Street Collective, Peck Produce, Neighbors Building Brightmoor, Spirit Farm, and a few individuals keeping animals.

Subsequently, CPC staff led focus groups to hear from community members about the proposal in more detail, including supporters and opponents. Staff used a number of feedback and engagement tools over this period to communicate with citizens and help them understand, but to also help staff understand what their concerns were. Below you'll find some of the feedback we heard on why people support or are against the proposal. Generally, the majority of attendees at these meetings were in support. Focus groups were held for those in opposition to field their concerns and incorporate feedback into the draft ordinance



Reasons people support animal and beekeeping

- “We’re able to feed a family of six for free. Plus, our eggs are healthier, fresher and more sustainably raised than any you could find at the grocery store.”
- “We are able to eat multiple meals every week from the eggs our birds lay.”
- “We often have neighbors stop by with their kids and grandkids to see the chickens. They love seeing farm animals up close, not a regular thing for city kids. Kids need to know where their food comes from and how it can be produced humanely and sustainably.”

- “As we saw during the pandemic, the food system in our country, and around the world, is volatile. As our kids grow up in an increasingly unstable environment, where food insecurity is a very real threat (and is already a threat to so many families in our community), it is incredibly important for them to learn the skills needed to feed themselves.”
- “This is a great step in creating a self-sustaining local economy independent of corporate systems. Our neighbors think it’s really cool that we keep animals. It has given us the opportunity to meet new neighbors, bond and get to know each other on a more personal level.”

Reasons people oppose or have concerns about animal and beekeeping

- “If allowed, animal keepers will just keep pushing to be allowed to keep more animals.”
- “No chickens, no bee’s outside my backdoor. Medical reasons.”
- “Not being notified by livestock and bee-keepers.”
- “Poor neighbor relations.”
- “We already have so many other problems such as stray dogs, why would we add something else.”
- “Don’t start anything else until other problems in our neighborhoods are solved.”

In addition to the citywide engagement conducted since 2016, CPC staff also participated in engagement efforts with the Office of President Pro Tem in the Summer of 2023 as listed below prior to the CPC 2024 public hearing:

Meeting #1 (hybrid in District 1) - June 20, 2023

Meeting #2 (hybrid in District 4) - July 6, 2023

Meeting #3 (hybrid in District 6) - August 9, 2023

Meeting #4 (virtual) - February 8, 2024



News articles

There have also been numerous news articles and broadcasted reports over the last 2 years specifically, alerting citizens of the effort and sharing information on who to contact to become involved. The most recent piece on the effort was a segment on [WDIV Channel 4 News](#) alerting Detroiters about the proposal and CPC public hearing.

Notice of Public Hearing

Additionally, CPC staff emailed the February public hearing notice and ordinance out to 6,000 subscribers of our office. We additionally sent a mailing out to approximately 1,337 community organizations and block clubs, alerting them of the public hearing for this matter. Lastly, the ordinance is posted on the CPC website for review.

Recent Engagement Post CPC Public Hearing

- Eastside Community Network - March 13, 2024
- District 3 Department of Neighborhoods meeting - March 26, 2024
- D6 & D7 Dept of Neighborhoods Community Meetings - March 27, 2024
- Kemeny Recreation Center Focus Group Meeting w/48217 zip code residents - April 29, 2024
- Community Development Advocates of Detroit - April 30, 2024
- D6 Office of Santiago Romero Community Meeting - May 1, 2024

To summarize these meetings, the overall gist of the response has been either neutral or supportive. Some people from each of these districts have expressed support during the meetings and sentiment to want to see it passed.

On the D6 DON meeting, there was however one resident from the 48217 zip code that expressed opposition. This resident is also the individual who spoke at the CPC public hearing and submitted a letter of opposition. These concerns have been documented by staff and discussed with the resident on various occasions.

Largely, in our engagement, 48217 residents have been the most vocally opposed, while much of the rest of the city is more neutral with questions or scattered individuals or groups showing support. Based on conversations with 48217 residents over the past several months, staff derives that there are many other issues currently existing that fuel 48217 residents to object to animal keeping. This has been stated on many occasions in meetings, that air quality and other quality of life issues currently existing, make residents of this neighborhood pessimistic about new proposals that require enforcement as many don't have faith in city enforcement.

The Council could potentially vote on recommendations to voice support for 48217 issues that are identified as amenable items which the City should review or pursue. This will likely not change the sentiment of opposition towards the Animal Keeping ordinance, however it would still be a way to advocate for the many issues that staff heard resonate during our engagement with those residents that did not relate to this ordinance but are relevant issues needing resolution. This is also not to dilute the consideration of the concerns raised that do relate to the Animal Keeping ordinance.

LETTERS RECEIVED

Staff has also received a number of letters prior to the CPC public hearing:

- 72 letters of support (from all seven Council Districts)
- Support petition with 555 signatures of residents city wide (from all seven Council Districts)
- A support petition with 60 signatures from urban agriculture growers
- 1 letter of opposition (48217 resident)

Conclusion

According to the Animal Care and Control data for citations of farm animals which include chickens, ducks, honey bees and all other type of farm animals currently being kept in the city, the

data shows that there has been little complaint about animals that fall in the category of what is proposed to be permitted through this ordinance.

From 2020-2023 (1/1/20 to 5/1/2023), the total citations for all domesticated animals (dogs, etc.) were 5,137 citations. Conversely, when you extract the data for all farm animals which would include chickens, ducks and honey bees, there were **only 34 total citations**. That constitutes **less than 1% of cases involving farm animals over three years**. This shows that this practice is not the major nuisance in the city. As animal enforcement is generally a complaint driven process, this indicates that not many citizens have been negatively impacted to the point that it initiates enforcement measures. However, this is not to dilute the experience of some citizens that have been negatively impacted by animal keepers that may not be as responsible as others in the community. That's why CPC staff and guild supporters strongly encourage increased neighbor relations.

CPC staff recognizes that if passed, this will be an ongoing effort to work to continuously hone the practice and make it better. With all of the partners involved, including the Land Based Projects team and other offices, this is planned for. The draft ordinance also entails a delayed implementation period to allow for more education and for departmental preparation which has already been in the works. If and when the ordinance is passed, the ordinance as written currently, would not become effective immediately but after a certain period of time.

Text Amendment Criteria and Analysis

The Zoning Ordinance Sec. 50-3-49 cites that recommendations on all proposed Zoning Ordinance text amendments be based on the following criteria (CPC staff's analysis is in italics):

- (1) Whether the proposed amendment is consistent with the stated purposes of this chapter;

This proposal seeks to regulate the keeping of certain farm animals and provide protections for abutting neighbors by establishing setbacks from neighboring dwellings, from property lines and other dimensional standards. It seeks to limit certain animal husbandry and beekeeping to be an accessory use. It seeks to create a conditional land use path that requires a public hearing for projects that do not fit the scope of the general provisions of the ordinance. All of this is in an effort to permit animal husbandry and beekeeping but to set forth certain boundaries to protect neighborhoods.

- (2) Whether the proposed amendment will protect the health, safety, or general welfare of the public;

The proposed amendment applies more protections than many of our neighboring cities while also allowing a level of sustainable practices for the food ecosystem in Detroit. Staff would offer that the entire approach has always stemmed from the spirit of protecting the health, safety and welfare of the community. Numerous ordinances of comparable places as well as denser cities have been studied, and our research shows that this practice can be done safely and effectively. The fact that this practice is currently happening without regulation, gives credence to the goal of this ordinance giving a pathway for animal keeping practitioners to come into compliance with local law to decriminalize them and provide some parameters for the practice. This proposed ordinance would in fact protect the general welfare of the community. We also have created a great relationship with the Animal Care and Control Department and seek to broaden this relationship amongst other departments and the future Guild. This will help to create a buffer of peer accountability, prior to enforcement so that

communities will have multiple ways to bring resolution to a problem situation thereby protecting the public.

- (3) Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact.

The proposed amendment does meet the challenge of a changing condition and/or trend in that, whether there is regulation or not, this practice is happening now. Citizens that are currently keeping animals are seeking a legal pathway and guidance on what may be appropriate in the keeping of these animals. This legislation will serve to give a pathway to being legal, but is also not expected to cause an immediate dramatic increase in people that are practicing.

RECOMMENDATION

In consideration of the foregoing and almost two decades of research and consideration, the City Planning Commission voted on May 2, 2024 to recommend approval of this text amendment ordinance with changes to the ordinance made subsequent and in response to hearing again from the public at a February 22, 2024 public hearing.

Respectfully submitted,

DONOVAN SMITH, CHAIRPERSON



Marcell R. Todd, Jr., Director
Kimani Jeffrey, City Planner
Dolores Perales, City Planner

Attachments: Draft Ordinance – Chapters 6 and 50
Law Department opinion on Right to Farm
Letters

cc: Antoine Bryant, Director, PDD
Karen Gage, PDD
Greg Moots, PDD
David Bell, Director, BSEED
James Foster, BSEED
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