

MEMORANDUM

To: City of the Village of Douglas Downtown Development Authority
Date: February 17, 2023
From: Nathan Mehmed, AICP
RE: **DDA Development & TIF Plan Adoption Next Steps**

The purpose of this memo is to provide an overview of the adoption process required by Michigan Public Act 57 of 2018. Once the Douglas Downtown Development Authority is satisfied with the updated Development & TIF Plan, it should recommend the Plan to the City Council. The following are step by step instructions of the required process:

1. The Downtown Development Authority shall recommend the Development Plan and Tax Increment Financing Plan to the City Council.
2. City Council is required to set a public hearing.
3. Notice of the time and place of the hearing shall be given by publication twice in a newspaper of general circulation designated by the City, the first of which shall be not less than 20 days before the date set for the hearing. Notice of the hearing shall be posted in at least 20 conspicuous and public places in the downtown district not less than 20 days before the hearing. Notice shall also be mailed to all property taxpayers of record in the downtown district not less than 20 days before the hearing. Notice shall also be mailed not less than 20 days before the hearing by certified mail to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the development plan or the tax increment financing plan is approved or amended.
 - a. Notice of the time and place of hearing on a development plan shall contain: a description of the proposed development area in relation to highways, streets, streams, or otherwise; a statement that maps, plats, and a description of the development plan, and that all aspects of the development plan will be open for discussion at the public hearing; and other information that City Council considers appropriate. At the time set for hearing, City Council shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the development plan. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the development plan. City Council shall make and preserve a record of the public hearing, including all data presented thereat.

4. City Council, after a public hearing on the development plan and the tax increment financing plan, shall determine whether the development plan and tax increment financing plan constitutes a public purpose. If it determines that the development plan or tax increment financing plan constitutes a public purpose, it shall then approve or reject the plan, or approve it with modification, by ordinance based on the following considerations:
 - a. The findings and recommendations of a development area citizens council, if a development area citizens council was formed (Douglas does not require a citizens council, so this is not applicable).
 - b. The plan meets the requirements set forth in section 217(2) of Michigan Public Act 57 of 2018.
 - c. The proposed method of financing the development is feasible and the authority has the ability to arrange the financing.
 - d. The development is reasonable and necessary to carry out the purposes of this part.
 - e. The land included within the development area to be acquired is reasonably necessary to carry out the purposes of the plan and of this part in an efficient and economically satisfactory manner.
 - f. The development plan is in reasonable accord with the master plan of the municipality.
 - g. Public services, such as fire and police protection and utilities, are or will be adequate to service the project area.
 - h. Changes in zoning, streets, street levels, intersections, and utilities are reasonably necessary for the project and for the municipality.

Per our scope of work, we can provide templates of public notices and the ordinance related to the Plan amendment; but we recommend that the City have the City's Attorney give a final review of the documents. Additionally, the City will be responsible for mailing and posting of all notices.

Please feel free to contact us if there are questions or comments.