

## DOWNTOWN DEVELOPMENT AUTHORITY (DDA)

The Downtown Development Authority (DDA), *Public Act 57 of 2018* is designed to be a catalyst in the development of a community's downtown district. The DDA provides for a variety of funding options including a tax increment financing mechanism, which can be used to fund public improvements in the downtown district and the ability to levy a limited millage to address administrative expenses.

*Note: This document is offered as a general guide only and the legislation should be reviewed by local officials.*

### WHO IS ELIGIBLE?

Any city, village or township, that has an area in the downtown zoned and used principally for business, is eligible to create an authority.

### HOW DOES IT WORK?

Once established, the DDA is required to prepare a tax increment financing plan and may create a development plan to submit for approval to the local municipality. A development plan describes the costs, location and resources for the implementation of the public improvements that are projected to take place in the DDA district. A tax increment financing plan includes the development plan and details the tax increment procedure, the amount of bonded indebtedness to be incurred, and the duration of the program.

### WHAT IS THE PROCESS?

1. The governing body finds that it is necessary for the best interests of the public to do the following related to the defined business district:
  - To halt property value deterioration
  - Increase property tax valuation
  - Eliminate the causes of deterioration
  - Promote economic growth
  - Create and provide for the operation of the DDA
2. The governing body sets a public hearing, based upon its resolution of intent, to create a DDA.
3. Notice is given of a public hearing by publication and mail to taxpayers within a proposed district and to the governing body of each taxing jurisdiction levying taxes that would be subject to capture of tax increment revenues.
4. The governing body takes comments at the public hearing.

5. Within 60 days, the governing body of another taxing jurisdiction may, by resolution, exempt its taxes from capture and file the resolution with the clerk of the municipality.
6. Not less than 60 days following the hearing, the governing body may adopt proposed ordinance creating the DDA and designating the boundaries of the DDA district.
7. The ordinance must be published at least once in a local newspaper and filed with the Secretary of State.
8. The governing board of the DDA shall be appointed or may, for municipalities of less than 5,000, be the same as the planning commission. Otherwise the authority will be supervised by a board that includes the municipality's chief executive officer and 8–12 members appointed by the governing body. A majority of the board must be individuals with an ownership or business interest in property in the district and one member must reside in the district if there are more than 100 residents in the district.

If the DDA board anticipates the need for capturing tax increments or using revenue bonds to support a project, a development plan and a tax increment financing plan must also be adopted by the DDA board and the municipality.

### WHY WOULD A COMMUNITY WANT TO ESTABLISH A DDA?

The DDA tax increment financing mechanism allows for the capture of the incremental growth of local property taxes over a period of time to fund downtown development activities. A community can capture future tax increment and additional millage, and focus their investment in targeted areas. By borrowing against the future tax increments, the DDA is able to fund large-scale projects, which can lead to new development opportunities within the downtown. In addition to the financing mechanism, the DDA structure results in the creation of a public board dedicated solely to the improvement of the downtown.

### SUPPORTING STATUTE

*Public Act 57 of 2018: Recodified Tax Increment Financing Act*

### CONTACT INFORMATION

For more information on downtown development authorities, contact the *Community Assistance Team (CAT) specialist* assigned to your territory or visit [www.miplace.org](http://www.miplace.org).