



Chippewa County Brownfield Redevelopment Authority Policy for Administration of Brownfield Redevelopment Projects

PURPOSE

To establish guidelines for the administration of Brownfield Redevelopment Authority Program and project applications.

BACKGROUND

In 1996, the State of Michigan Legislature approved Public Act 381, MCL 125.265 et seq. (the “Act”) to authorize municipalities to create Brownfield Redevelopment Authorities to promote reuse and revitalization of urban properties. Chippewa County (the “County”) created the Chippewa County Brownfield Redevelopment Authority (BRA) on September 8, 1997, and expanded the BRA’s authority to all of Chippewa County on September 11, 2025. The Brownfield Redevelopment Program (the “Program”) uses certain tax increment revenues to pay for or reimburse Eligible Activities costs as defined in Section 2 of the Act. This policy guides the administration of the BRA’s Program under the Act.

OBJECTIVES

The Program will provide support for qualified public or private redevelopment projects located in Chippewa County, based on extent of benefit to Chippewa County residents and project need for funding assistance. Projects will be considered for recommendation based on the extent to which a project meets the goals of the County as described in various plans, primarily including:

- [Chippewa County Housing Needs Assessment](#)
- [Comprehensive Economic Development Strategy \(CEDS\)](#)
- Township Master Plans when available

In recommending projects for funding, staff will detail the extent to which County goals are met by a project.

PROPERTY ELIGIBILITY CRITERIA

To be eligible for participation in the Program, a property must meet the definition of “Eligible Property” as that term is defined in Section 2 of the Act: property that is blighted, functionally obsolete, contaminated, at a transit hub, historic, or that will be used for housing. The project must also demonstrate meaningful public benefits.



APPLICATION

Prospective developers are advised to contact the Chippewa County EDC Brownfield Coordinator at admin@chippewacountyedc.com before preparing materials for an application to the Chippewa County Brownfield Redevelopment Authority. Once the Brownfield Coordinator's support in concept for the project is secured, the prospective developer will be asked to complete a written application available at bra.chippewacountyedc.com. The application includes information such as:

- Summary of the proposed project, including schedule and deadlines
- Whether income-restricted housing is included in the project
- Site plan, if available
- Renderings, if available
- A brief description of the site's environmental condition, if known
- Project budget and financial information that demonstrates the project's need for funding assistance
- New and retained jobs
- How the property is eligible under the Act
- A description of how the project meets the Development Initiatives listed below, if applicable
- Proposed eligible activities
- A description of the public benefits that will result from the project

There is no fee for applying to the BRA for project support.

Once an application has been approved by the BRA, the applicant shall provide a Brownfield Plan using the State of Michigan's guidance and format, including conditions requested by the BRA, for the BRA's approval.

REVIEW

Upon receipt of an application, and prior to any public consideration of the application, staff will provide the relevant details of a project to other County departments to confirm that the applicant is eligible to do business with the County and the project is permissible as proposed. The results of this review must confirm the following:

- That the project is compatible with local zoning or the developer plans to request a zoning variance or planned unit development.
- That the applicant is not delinquent on any financial obligation to the County or local government where the project will be located.

- That the applicant, including its affiliated entities, does not have outstanding local zoning, code, or other violations.

DEVELOPMENT INITIATIVES CRITERIA

While minimum eligibility requirements must be met, projects that only meet minimum requirements are not guaranteed approval. Developers may be asked to improve their proposals by adding initiatives below or showing increased public benefit as a condition for BRA approval. It is unlikely that brownfield incentives will be approved for projects that request maximum TIF capture and developer reimbursement while providing minimal or limited public benefit.

Projects that meet the following criteria will be given extra weight in plan reviews. Projects are not required to meet any or all of the criteria, but if the project includes any of the priority criteria below, the Chippewa County BRA will look more favorably on project approval and requests to reduce or defer fees so that the developer is reimbursed more quickly and/or with a lower up-front cost.

A. Sustainability

- i. The project will create new permanent, year-round jobs or temporary jobs for a period of at least two years (such as construction jobs)
- ii. Project will use high energy efficiency building features.
- iii. Project will remediate or address environmental contamination.
- iv. Project includes either public greenspace or greenspace available for use by residents in a multifamily development.

B. Housing Type Diversity

- i. Provides a housing type (single-family attached, single-family detached, duplex, multi-family, etc.) that is less than 20% of the existing housing in a census tract, according to the most recent decennial census, or if the census data is more than 5 years old, according to the most recent American Community Survey data.
- ii. 10% or more of the proposed rental units are three-or-more bedroom units.
- iii. The proposed project includes workforce housing.
- iv. 10% or more of the proposed residential units are main floor barrier free and designed for persons with mobility challenges.

C. Emerging Developers or Priority Development Areas

- i. Project is being proposed by an entity that creates learning opportunities for emerging developers.

- ii. Project is located in Kinross/Kincheloe, a priority development area in Chippewa County.
- iii. Project is located in a municipality with a population density above 20 per square mile.

For the purposes of this policy, an emerging developer is defined as “a person with limited experience in the development or redevelopment of real estate who may be supported by a network of more experienced development professionals, or an organized program designed to support first-time and less experienced developers. If the individual(s) are members of an entity (i.e., a limited liability company) then the individual(s) meeting the definition of an emerging developer must have no less than 25% ownership of the entity, including no less than 25% of the potential financial risk and reward.”

D. Housing Development Activities

The Chippewa County BRA is committed to supporting housing construction for priorities expressed in the most recent evaluation of housing needs in the County. The BRA will look most favorably on housing for a mixture of citizens, including those who can afford market rate and residents earning 120% of the county’s AMI or less.

- i. 75% or more of new housing units will be designated for residents living in Chippewa County at least 51% of the year.
- ii. Project rents will be restricted for a duration comparable to the requested TIF capture and developer reimbursement.
- iii. Tax capture per income-restricted unit may not exceed the cost to construct the unit unless other extraordinary costs are specified in the application and brownfield plan and approved by the BRA.
- iv. If Housing Financing Gap is a requested eligible activity for rental units, rents must comply with MSHDA income and rent limits for the duration of Housing Financing Gap reimbursement.
- v. Homes for sale may be required to have a deed restriction or other control that restricts resale at market rate for a period of time not to exceed the requested TIF capture.
- vi. Homes for sale may be required to have a deed restriction or other control that restricts short-term rental usage.
- vii. At least 20% of the residences in the project must be income-qualified units, per MSHDA policy.

MISCELLANEOUS PROVISIONS

- A. The BRA recognizes that the Program is an opportunity to leverage financial participation by the State of Michigan. As such, the BRA will support applicants who pursue incentives from the Michigan Department of Environment, Great Lakes, and Energy (EGLE), the Michigan Strategic Fund (MSF), and/or the Michigan State Housing Development Authority (MSHDA), as applicable.
- B. Reimbursement will be limited to a maximum of 25 years. The BRA may approve more or less than 25 years at its discretion and depending on the public good that results from the Project.
- C. Eligible activities must be consistent with current state law and policy, even if state school TIF is not being requested.
- D. The BRA will consider approving eligible Activities costs incurred up to one year before Plan approval. A request for retroactive approval of Eligible Activities must be reasonable and the reason for incurring the cost in advance of Plan approval must be acceptable to the BRA. Eligible activities that are preapproved under Act 381 (environmental due diligence, demolition and abatement up to \$250,000) do not require retroactive approval.
- E. Legal and consulting fees that are not in the ordinary course of acquiring and developing real estate will be limited to a maximum of \$30,000 as allowed by the Act. This includes fees paid to the BRA for its brownfield and legal fees. Costs in excess of \$30,000 are the responsibility of the applicant.

COMPLIANCE

- A. Reporting and compliance requirements will be detailed in a project's Development and Reimbursement Agreement. At a minimum, a project completion report must be submitted within 90 days of the issuance of a certificate of occupancy for the project in a format provided by the BRA for reimbursement of eligible activity costs. The required report contents will be provided in the Development and Reimbursement Agreement.
- B. The project must be operated and maintained in compliance with all applicable County codes and ordinances. Non-compliance may result in a suspension of reimbursement for eligible activities until the project returns to compliance.



CHIPPEWA COUNTY BRA FEE SCHEDULE

The BRA will collect the following fees, subject to Chippewa County Commission approval and proportional reductions due to limitations in the Act. There is no fee to apply to the BRA for project support.

- A. **BRA Consultant and Legal Counsel Fees:** Applicants will be responsible for paying reasonable fees of the BRA's brownfield consultant and legal counsel in connection with review, approval, and processing of the application, brownfield plan, Act 381 work plan, development and reimbursement agreement, and other documents associated with project incentives. If the brownfield plan is approved, the BRA will reduce the first reimbursement to the developer by the actual amount of the BRA's review cost.
- B. **Administrative Fee:** The brownfield plan and, if applicable, Act 381 work plan shall include an annual administration fee totaling 5 to 8% of local tax increment revenues, to be determined by the BRA based on project complexity and size. The administration fee may be reduced to help finance priority projects.
- C. **Brownfield Plan and Work Plan Implementation:** Plans shall include \$50,000 for brownfield plan and work plan implementation which shall be distributed in equal annual payments of no less than \$2,500 per year from tax increment revenues to the sole benefit of the BRA, unless otherwise negotiated. If the \$50,000 prorated over the life of the approved plan does not equal at least \$2,500 of the eligible activities per year, an additional administration fee may be added to the plan to make up the shortfall until the plan is terminated.
- D. Administrative, plan review, and implementation fees shall be paid to the Chippewa County BRA from Tax Increment Revenues before reimbursement is made to the applicant.
- E. The BRA shall collect the final five years of tax increment revenues annually for its Local Brownfield Revolving Fund.

WAIVER

The BRA Board of Directors may waive this policy, or any portion of it, when the BRA Board determines that it is in the best interest of the County or the BRA.



**CHIPPEWA COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY
BROWNFIELD INCENTIVE APPLICATION EVALUATION**

Pursuant to the Chippewa County Brownfield Redevelopment Authority's (BRA) guidance, staff and/or the BRA's consultant will evaluate projects using the following criteria. **The developer does not complete this section;** it is included only to show criteria by which projects will be evaluated.

App question	Reviewed by / date:	
	Was a complete application submitted?	
1	Development company name:	
2	What incentives are requested?	Brownfield TIF/Housing TIF Property tax exemption EGLE grant or loan MI Neighborhood grant CRP grant PILOT Other
4	Does the project summary include a realistic schedule and deadlines? If the project includes housing, is it consistent with the Chippewa County Housing Needs Assessment?	
6	Has a Phase I environmental site assessment been completed? Does it suggest the property might be contaminated?	

7	Is the property an eligible property? (Blighted, functionally obsolete, contaminated, housing, historic, at a transit hub.) If blighted or functionally obsolete, has it been declared as such by an assessor?	
8	Does the project include any Development Initiatives Criteria?	
9	What public good will result from the project?	
10	Does the project make a clear case that it is not financially feasible without brownfield TIF support? Is the amount of TIF requested reasonable and supportable by anticipated tax revenues?	
Project budget	Proposed eligible activities	
	Is the project consistent with local planning and zoning? Is a zoning variance or PUD approval required?	
	Is the applicant delinquent on any financial obligation to the County?	
	Does the applicant have outstanding written orders or an adverse history of code compliance violations?	

	Is the project recommended for consideration by the Chippewa County BRA? If yes, forward to BRA members for consideration at the next scheduled or a special meeting	
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Additional comments:

If a brownfield plan is accepted:

What	When
Is the plan complete?	
Does the TIF table include up to 5-8% for administration, and \$50,000 (at least \$2,500/year) divided between state and local tax increment revenues for implementation?	
Does the TIF table include five years of tax capture for the Local Brownfield Revolving Fund?	
Has the local unit of government where the project is located passed a resolution in support of the Plan? The BRA requires the local resolution of support before it considers approval of a Plan.	
Developer submits a Plan / amendment to the BRA.	At least two weeks prior to BRA meeting
BRA reviews and votes on the proposed Plan amendment. Approval may include conditions.	BRA meeting
BRA requests a public hearing be scheduled for the proposed Plan amendment at the next feasible County Commission regular meeting	At least 10 days in advance of public hearing date
BRA notifies local taxing jurisdictions and the public of the proposed Plan amendment and public hearing date. If state school TIF will be used for the project, the BRA notifies EGLE, MSF/MEDC, and/or MSHDA of the public hearing.	At least 10 days in advance of public hearing date
Public hearing. The developer or their representative must attend the hearing.	County Commission meeting or special meeting
County Commission approves or rejects the Plan / amendment	Following the public hearing

If approved by the County Commission, BRA and developer enter into a Development / Reimbursement Agreement	After adoption of the Plan / amendment
For projects with state school tax capture, developer drafts a work plan pursuant to Act 381 for BRA review and approval	After Development / Reimbursement Agreement
If applicable, BRA reviews the work plan. If state school taxes will be captured, BRA will forward the work plan to EGLE, MSHDA, and/or MEDC for approval.	Before developer can begin work on eligible activities
After the development agreement is signed and, if applicable, the work plan is approved, the developer can begin work.	After approvals received from BRA and, if applicable, EGLE, MSHDA and/or MEDC