

**§5222. Definitions**

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2001, c. 669, §1 (NEW).]

**1. Amenities.** "Amenities" means items of street furniture, signs and landscaping, including, but not limited to, plantings, benches, trash receptacles, street signs, sidewalks and pedestrian malls. [PL 2001, c. 669, §1 (NEW).]

**1-A. Arts district.** "Arts district" means a specified area within the corporate limits of a municipality or plantation that has been designated by the municipality or plantation for the purpose of providing employment and cultural opportunities through the development of arts opportunities, including, but not limited to, museums, galleries, arts education, art studios, performing arts venues and associated businesses. [PL 2011, c. 101, §3 (AMD).]

**1-B. Adult care facilities.** "Adult care facilities" means facilities that are licensed by the Department of Health and Human Services and that offer programs for adults who need assistance or supervision and that are operated out of nonresidential commercial buildings. The programs offered at adult care facilities include the provision of:

A. Services that allow family members or caregivers to be active in the workforce; [PL 2019, c. 604, §1 (NEW).]

B. Professional and compassionate services for adults in a community and program-based setting; and [PL 2019, c. 604, §1 (NEW).]

C. Social and health services to adults who need supervised care in a safe place outside the home. [PL 2019, c. 604, §1 (NEW).]

[PL 2019, c. 604, §1 (NEW).]

**1-C. Affordable housing.** "Affordable housing" has the same meaning as in section 5246, subsection 1.

[PL 2021, c. 261, §1 (NEW).]

**2. Captured assessed value.** "Captured assessed value" means the amount, as a percentage or stated sum, of increased assessed value that is utilized from year to year to finance the project costs contained within the development program.

[PL 2001, c. 669, §1 (NEW).]

**2-A. Child care facilities.** "Child care facilities" means facilities that are licensed by the Department of Health and Human Services that provide care for at least 6 children who are less than 18 years of age by persons who are not family members, legal guardians or other custodians of the children and that are operated out of nonresidential commercial buildings. To meet this definition, a child care facility must have a director and a sufficient number of staff members whose sole function is to provide necessary child care services. The services offered at child care facilities include the provision of services that allow the children's family members, legal guardians or other custodians the ability to be active in the workforce.

[PL 2019, c. 604, §2 (NEW).]

**3. Commissioner.** "Commissioner" means the Commissioner of Economic and Community Development.

[PL 2001, c. 669, §1 (NEW).]

**4. Current assessed value.** "Current assessed value" means the assessed value of the district certified by the municipal or plantation assessor as of April 1st of each year that the development district remains in effect.

[PL 2011, c. 101, §4 (AMD).]

**5. Department.** "Department" means the Department of Economic and Community Development. [PL 2001, c. 669, §1 (NEW).]

**6. Development district.** "Development district" means a specified area within the corporate limits of a municipality or plantation that has been designated as provided under sections 5223 and 5226 and that is to be developed under a development program. [PL 2011, c. 101, §5 (AMD).]

**7. Development program.** "Development program" means a statement of means and objectives designed to provide new employment opportunities, retain existing employment, improve or broaden the tax base, construct or improve the physical facilities and structures or improve the quality of pedestrian and vehicular transportation, as described in section 5224, subsection 2. [PL 2001, c. 669, §1 (NEW).]

**8. Downtown.** "Downtown" means the traditional central business district of a community that has served as the center of socioeconomic interaction in the community, characterized by a cohesive core of commercial and mixed-use buildings, often interspersed with civic, religious and residential buildings and public spaces, that are typically arranged along a main street and intersecting side streets and served by public infrastructure. [PL 2001, c. 669, §1 (NEW).]

**9. Downtown tax increment financing district.** "Downtown tax increment financing district" means a tax increment financing district described in a downtown redevelopment plan that is consistent with the downtown criteria established pursuant to rules of the department. [PL 2001, c. 669, §1 (NEW).]

**10. Financial plan.** "Financial plan" means a statement of the project costs and sources of revenue required to accomplish the development program. [PL 2001, c. 669, §1 (NEW).]

**10-A. Fisheries and wildlife or marine resources project.** "Fisheries and wildlife or marine resources project" means a project approved by the Department of Inland Fisheries and Wildlife or the Department of Marine Resources undertaken for the purpose of improving public access to freshwater or saltwater fisheries and wildlife resources of the State for fishing, hunting, research or observation or for conservation or improvement of the freshwater or saltwater fisheries and wildlife resources of the State. [PL 2011, c. 675, §1 (NEW).]

**11. Increased assessed value.** "Increased assessed value" means the valuation amount by which the current assessed value of a tax increment financing district exceeds the original assessed value of the district. If the current assessed value is equal to or less than the original, there is no increased assessed value. [PL 2001, c. 669, §1 (NEW).]

**12. Maintenance and operation.** "Maintenance and operation" means all activities necessary to maintain facilities after they have been developed and all activities necessary to operate the facilities, including, but not limited to, informational, promotional and educational programs and safety and surveillance activities. [PL 2001, c. 669, §1 (NEW).]

**13. Original assessed value.** "Original assessed value" means the assessed value of a development district as of March 31st of the tax year preceding the year in which it was designated and, for development districts designated on or after April 1, 2014, "original assessed value" means the taxable assessed value of a development district as of March 31st of the tax year preceding the year in which it was designated by the legislative body of a municipality or a plantation. [PL 2013, c. 184, §1 (AMD).]

**14. Project costs.** "Project costs" means any expenditures or monetary obligations incurred or expected to be incurred that are authorized by section 5225, subsection 1 and included in a development program.

[PL 2001, c. 669, §1 (NEW).]

**14-A. Public safety facility.** "Public safety facility" means a facility used primarily for the functions of municipal or plantation government that ensure the protection of residents, organizations and institutions in the municipality or plantation, including the provision of law enforcement, fire and emergency services.

[PL 2019, c. 148, §1 (NEW).]

**15. Tax increment.** "Tax increment" means real and personal property taxes assessed by a municipality or plantation, in excess of any state, county or special district tax, upon the increased assessed value of property in the development district.

[PL 2011, c. 101, §6 (AMD).]

**16. Tax increment financing district.** "Tax increment financing district" means a type of development district, or portion of a district, that uses tax increment financing under section 5227.

[PL 2001, c. 669, §1 (NEW).]

**17. Tax shifts.** "Tax shifts" means the effect on a municipality's or plantation's state revenue sharing, education subsidies and county tax obligations that results from the designation of a tax increment financing district and the capture of increased assessed value.

[PL 2011, c. 101, §7 (AMD).]

**18. Tax year.** "Tax year" means the period of time beginning on April 1st and ending on the succeeding March 31st.

[PL 2001, c. 669, §1 (NEW).]

**19. Transit.** "Transit" means transportation systems in which people are conveyed by means other than their own vehicles, including, but not limited to, bus systems, street cars, light rail and other rail systems.

[PL 2009, c. 314, §2 (NEW).]

**20. Transit facility.** "Transit facility" means a place providing access to transit services, including, but not limited to, bus stops, bus stations, interchanges on a highway used by one or more transit providers, ferry landings, train stations, shuttle terminals and bus rapid transit stops.

[PL 2009, c. 314, §3 (NEW).]

**21. Transit-oriented development.** "Transit-oriented development" means a type of development that links land use with transit facilities to support and be supported by a transit system. It combines housing with complementary public uses such as jobs, retail or services establishments that are located in transit-served nodes or corridors. Transit-oriented development is intended through location and design to rely on transit as one of the means of meeting the transportation needs of residents, customers and occupants as demonstrated through such factors as transit facility proximity, mixed uses, off-street parking space ratio less than industry standards, architectural accommodation for transit and marketing that highlights transit.

[PL 2009, c. 314, §4 (NEW).]

**22. Transit-oriented development area.** "Transit-oriented development area" means an area of any shape such that no part of the perimeter is more than 1/4 mile from an existing or planned transit facility.

[PL 2009, c. 314, §5 (NEW).]

**23. Transit-oriented development corridor.** "Transit-oriented development corridor" means a strip of land of any length and up to 500 feet on either side of a roadway serving as a principal transit route.

[PL 2009, c. 314, §6 (NEW).]

**24. Transit-oriented development district.** "Transit-oriented development district" means a tax increment financing district consisting of a transit-oriented development area or a transit-oriented development corridor.

[PL 2009, c. 314, §7 (NEW).]

#### SECTION HISTORY

PL 2001, c. 669, §1 (NEW). PL 2007, c. 413, §2 (AMD). PL 2009, c. 314, §§2-7 (AMD). PL 2011, c. 101, §§3-7 (AMD). PL 2011, c. 675, §1 (AMD). PL 2013, c. 184, §1 (AMD). PL 2019, c. 148, §1 (AMD). PL 2019, c. 604, §§1, 2 (AMD). PL 2021, c. 261, §1 (AMD).

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