

# **760 CMR 13**

## **760 CMR 13.00:**

### **COMMERCIAL AREA REVITALIZATION DISTRICT (CARD) PLANS**

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#### **13.01: Purpose and Applicability**

The purpose of the program for Commercial Area Revitalization District (CARD) plans is to assist communities with commercial centers which are experiencing disinvestment to reverse the trend by stimulating public and private investment. Commercial disinvestment may be reflected by commercial buildings with a high vacancy rate, loss of significant retail businesses in the area or physically deteriorating commercial buildings. Communities experiencing such disinvestment in their commercial centers may apply to the Department of Housing and Community Development ("the Department") for approval of CARD plans. 760 CMR 13.00 became effective on April 4, 1997 and replaced regulations which appeared at 751 CMR 8.00. 751 CMR 8.00 was rescinded on April 4, 1997.

#### **13.02: Plan Approval**

A CARD plan, once approved by the Department, shall remain valid for three years unless a renewal has been approved by the Department. Upon application for a renewal, the Department will review each CARD plan to determine if the plan should be renewed for one additional two year period. Renewal will be dependent on the extent to which the municipality has actively implemented the CARD plan during the initial three years. If after the initial term and the renewal period, the community continues to have need of a CARD plan, it shall develop and submit a new CARD plan for the Department's approval.

#### **13.03: Criteria for Plan Approval**

The Department shall approve a CARD plan upon the following findings:

(1) The CARD is a predominately commercial geographic area, as shown on a map of the location of the area in the municipality, the commercial uses in the area, and the streets.

(2) The proposed CARD has experienced disinvestment demonstrated by loss of commercial enterprises, by commercial buildings with high vacancy rates, by physically deteriorating buildings, or by other reliable indicators.

(3) The plan provides specific strategies designed to prevent, or to arrest and reverse disinvestment, including public action and incentives to promote private investment. These strategies may include but are not limited to zoning or land use changes, proposed public improvements, development criteria, financing measures, and controls on land use and design.

(4) The development of the plan was publicized and the business community was involved in the development of the CARD plan, and the business community has a commitment to be involved in the implementation of the plan.

(5) The plan accounts for and proposes actions consistent with any operative municipal master plan, urban renewal plan, economic development plan, or other officially adopted local plan.

(6) An identified local implementing agency will be responsible for oversight of implementation of the plan and for marketing or otherwise promoting the plan.

(7) The plan has been adopted by the local governing body as defined by M.G.L. c. 40D, § 1.

#### **13.04: Amendments to CARD Plans**

The local implementing agency may apply to the Department for approval of an amendment to the CARD plan. The application shall be accompanied by sufficient material which, together with the original plan, will permit the Department to make the requisite findings, specified in 760 CMR 13.02, for approval of the amendment. No amendment shall be effective until approved by the Department.

#### **REGULATORY AUTHORITY:**

760 CMR 13.00: M.G.L. c. 40D; c. 23B; and St. 1996, c. 151.

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