Heart of the City: Revitalization in Urban Neighborhoods

Report One
Cincinnati, OH - Dubuque, IA - Syracuse, NY

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Independent Study HP
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Overview

This independent study is designed to support a thesis proposal that seeks to answer the question "How can historic preservation tools be used in partnership with other incentives to stabilize and revitalize heritage neighborhoods, with particular reference to Davenport, Iowa?"

During the semester, the student is researching how other metropolitan areas are tackling this issue. "Heritage neighborhoods" are defined as those listed or eligible for listing in local, state or national historic registers. Especially, this study will focus on heritage neighborhoods that have faced disinvestment, deteriorated housing, and blight. A 2010 study, "Greening the Rustbelt," identified twenty older industrial cities with the highest population losses that correlated to vacant and deteriorated properties and to urban blight. This report covers the first three communities.

Methodology

The student developed a comprehensive checklist to be used as the starting point for research. Online searches and telephone interviews are key information sources. Prior to conducting interviews, relevant websites including that of the city, preservation organizations, and media reports, are reviewed for pertinent information on such topics as historic preservation, city codes, or how housing issues are addressed. Online research also explores other redevelopment initiatives and tools such as land banking activity, availability of state tax credits or use of the city of GIS mapping.

Staff interviews tend to focus on city programs, challenges and achievements. Residents, developers and preservation organizations are also providing important input on how effectively cities are delivering on preservation initiatives.

Challenges

Revitalization efforts are often tied to a community's unique history, local politics or a global catastrophic event such as the 2008 foreclosure crisis. An important aspect of research is developing context. This is a time consuming but important process.

Every city collects and shares data uniquely; each has a different capability for sharing information based on resources, staffing and priority. This can make comparisons difficult.

While interviewees understand the concept of heritage neighborhoods, data is not collected in that way. Any conclusions as to the impact of activity on heritage neighborhoods will be difficult to quantify.

Based on interviews with the first three cities, while city code or redevelopment tools might appear to address an issue, actual execution can be a challenge.

Comparison Cities

City	Cincinnati, OH	Dubuque, IA	Syracuse, NY	Davenport, IA
Population 1960-2010	502,550/ 296,943[1]	56,606/ 57,637[2]	216,038/145,170[3]	88,981/99,685[4]
% Housing stock built before 1960[5]	63.7%	50.5%	72.5%	48.6%
NR Listed Properties (Est.)[6]	2,415	1,000	1,236	1,600+
Total Housing Units/% Vacant [7]	162,398/18.1%	25,483/6.2%	64,866/15.5%	44,638/7.9%

[1] Population.us, "Population of Cincinnati, OH," accessed February 20, 2017, at http://population.us/oh/cincinnati/.

[2] Population.us, "Population of Dubuque, IA," accessed February 20, 2017, at http://population.us/ia/dubuque/. Dubuque's population peaked in 1980 at 62,374. Due to the farm crisis, its population had dropped to 57,753 in 1990 and has averaged a .163% growth rate per decade since.

[3] Population.us, "Population of Syracuse, NY," accessed February 20, 2017, at http://population.us/ny/syracuse/.

[4] Population.us, "Population of Davenport, IA," accessed March 3, 2017, at http://population.us/ia/davenport/. Davenport's population peaked at 103,264 in 1980, but fell .76% between 1980 and 1990. It has grown slowly during each 10-year census since, but not to 1980 levels.

[5] American Factfinder, Cincinnati, OH; Dubuque, IA; and Syracuse, NY, "Selected Housing Characteristics, 2011-2015 American Community Survey 5-Year Estimates," accessed February 20 2017, at https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF. Based on author experience, census estimates rarely are the same as those quoted by cities. However, the Census does provide a useful common data source.

[6] National Register Properties are included so as to give a sense of surveyed historic assets. Getting estimates is challenging. For Ohio and New York, the figures come from the author's review of SHPO online databases. Iowa has no such tool; Dubuque's figures come from the author's review of online databases and surveys on the city's website. Davenport's is an estimate based on historic numbers.

[7] American Factfinder, Cincinnati, OH; Dubuque, IA; and Syracuse, NY, "Selected Housing Characteristics, 2011-2015 American Community Survey 5-Year Estimates," accessed February 20, 2017, at https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF. Again, this data often does not match city sources.

Cincinnati

Overview

In 2006, Cincinnati's Over-the-Rhine neighborhood, one of the largest historic districts in the country, was included in the National Trust for Historic Places' "Eleven Most Endangered Historic Places in America."[8] By 2010, the district had lost more than half of its pre-1930 buildings.[9] Cincinnati lost 34.1% of its population between 1960 and 2000.[10] In 2010, across a city hit hard by the mortgage crisis, more than 4800 buildings stood vacant.[11] Within that environment, Cincinnati took a fresh look at how it dealt with its historic infrastructure, its code enforcement, the role of its legal department and its demolition procedures.

Historic Infrastructure

The city website includes a list of twenty eight local landmarks and twenty eight local and national register historic districts.[12] The SHPO website lists a total of 2,828 buildings either listed individually or contributing in districts in the National Register.[13] One local preservation group likens

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[8] "Historic Preservation," accessed February 20, 2017, at http://www.otrfoundation.org/Historic_Preservation.htm.

[9] Cara Bertron, "Between a Rock and a Historic Place: Preservation in Postindustrial Urban Planning," University of Pennsylvania, Philadelphia, PA, 2011, 84. Accessed December 12, 2016 at http://repository.upenn.edu/hp_theses/181.

[10] Joseph Schilling and Jonathan Logan, "Greening the Rustbelt," Journal of the American Planning Association, Autumn 2008, accessed December 14, 2016, at http://www.esf.edu/cue/documents/Greeningtherustbelt.pdf.

[11] Cara Bertron, 83.

[12] "Historic Conservation," accessed January 24, 2017, at http://www.cincinnati-oh.gov/buildings/historic-conservation/. This is the front page of the Historic Conservation section. Links to other pages in the section are located on the left column of this page. The website overall has very well organized and in-depth sections on conservation as well as code enforcement that appear to have current information.

[13] "Ohio National Register Searchable Database," accessed March 1, 2017, at https://nr.ohpo.org. The city of Cincinnati does not keep a complete list of all National Register properties. The number was arrived at by going to the Ohio SHPO website and reviewing the listings. Accuracy is dependent on how current that information is.

Cincinnati's scale of historic infrastructure to that of cities like New Orleans or Savannah.[14] Efforts to identify historic districts began in the 1960s; some early districts were originally designated with a fifty year sunset rule since residents were unsure of the path forward.[15]

Cincinnati is a city of neighborhoods; there are fifty two identified neighborhood entities most with community councils, also part of the Cincinnati tradition. Almost one in three Cincinnati residents live in poverty, many in the city's historic districts.[16] Rehabilitation of heritage neighborhoods has, at times, not been without controversy stemming from concerns of displacement caused by gentrification. The city now avoids proceeding these initiatives without the blessings of the neighborhood Community Council.[17]

The term "conservation" replaces "preservation" in Cincinnati; the choice was inspired by European models and based on the fact that preservation has a specific meaning within National Park Service guidelines. Cincinnati's Historic Conservation Board was established in 1980. An Urban Conservator serves as the staff liaison and a part time zoning employee provides assistance. The board meets bimonthly to review proposed changes to designated properties based on conservation guidelines for specific landmarks or districts, including the power to grant relief from the city's zoning code. HPC demolition oversight for at-risk historic buildings varies based on ownership and designation.

- Locally landmarked buildings or those in local historic districts, are subject to HCB demolition review hearings.

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[14] "Guide to OTR Architecture," accessed February 20, 2017, at http://otrfoundation.org/OTR_Architecture.htm.

[15] Margo Warminski, in discussion with author, February 25, 2017. Warminski is Preservation Director for the Cincinnati Preservation Association.

[16] "10 Poorest Neighborhoods," accessed March 3, 2017, at https://citylinkcenter.org/about-us/the-need/10-poorest-neighborhoods. Among the neighborhoods listed are historic districts Over-the-Rhine, West End (Dayton Street), and Walnut Hills.

[17] Ed Cunningham, in discussion with author, February 20, 2017. Cunningham is a Division Manager for the Cincinnati Department of Buildings & Inspections, Property Maintenance Code Enforcement Division.

- The HCB can grant demolition based on hardship; changes to the city's ordinance make this process more difficult than it was ten years ago. Owners must now be able to prove that denying demolition rises to the level of a taking by the city. Owners are forbidden to allow demolition by neglect.

- City owned historic buildings, either those already registered as historic or deemed eligible for listing in the National Register may not be demolished by the city except in emergency situations; [18] such demolition requests are subject to HCB review.

- Privately owned buildings fifty years or older and not located in local historic districts or locally landmarked may be demolished by their owners without review.

- City demolition proposals for any building fifty years or older deemed dangerous or unsafe is subject to a hearing by the Urban Conservator to assess the building's historic significance.

For either city owned or emergency abatements, code enforcement turns to the Stabilization of Structures (SOS) program when funds are available. The goal is to properly mothball a building for at least ten years, addressing roof and drainage issues so that the structure meets the vacant building maintenance code.[19]

An "At-Risk Historic Buildings" list is available on the city website. These are privately owned buildings; the Cincinnati Preservation Association is offered as a contact for more information.[20] City challenges to demolition activity are not always met with success. In February 2017, city attorneys seeking demolition protection for two historic properties lost in court when judges ruled that steps to

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[18] Beth Johnson, in discussion with author, February 2, 2017. Johnson is the Urban Conservator for Cincinnati. She has worked for the city a little over one year, coming from Austin where she also worked for that city in an historic preservation capacity.

[19] Cunningham.

[20] "At-Risk Historic Buildings," accessed February 21, 2017, at https://www.cincinnati-oh.gov/buildings/property-maintenance-code-enforcement/at-risk-historic-buildings/.

prevent demolition rose to the level of a legal taking.[21] Strengthened conservation ordinances are sometimes offset when owners seek out "canny lawyers or they go judge shopping to find judges that are property rights advocates."[22]

In 2015, the office of the Urban Conservationist moved from the planning department to the zoning department. And, indeed, it is the area of code enforcement that Cincinnati has developed the most powerful new tools for addressing challenges to its heritage infrastructure.

Ed Cunningham, the city's Buildings & Inspections Division Manager, says his office has many more options than it did just ten years ago. He believes that code enforcement works best with incentives and punishments. His office works closely with a re-focused legal department. Code Enforcement works closely with Cincinnati's legal team. It was reorganized in 2012 and now includes a Quality of Life/Affirmative Litigation Division. In the past, the city most often found itself in court as a plaintiff. It now finds itself managing fifty civil cases and two hundred criminal cases per year. Most are as a result of properties subject to the VDML license and facing multiple issues of failing to follow code enforcement orders. A judgement against owners can be placed against other properties they own. A new part of the Ohio state code permits cities to file a foreclosure claim on properties where it has been forced to perform abatement. Most of these cases have not dealt with historically designated properties.

Current Activity

After reaching its nadir in 2006, Over-the-Rhine has rebounded to become "the hottest real estate market in Cincinnati," according to Urban Conservator Beth Johnson. While it still faces the chronic challenges of many heritage areas, today's issues tend to focus on the impact of gentrification and

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[21] Bowdeya Tweh, "Judge Rejects Delay of Dennison Hotel Demolition," February 7, 2017, accessed February 19, 2017 at http://www.cincinnati.com/story/money/2017/02/07/judge-hear-dennison-hotel-demolition-appeal/97584206/ and "Historic OTR: Demolish or Rehab?" Accessed February 19, 2017, at http://www.cincinnati.com/story/news/2014/06/07/davis-furniture-otr-building/10116571/; and Jessica Powell, in discussion with author, February 21, 2017. Powell is Assistant City Solicitor with the City of Cincinnati Department of Law.

[22] Anonymous, in discussion with author.

interpretation of infill guidelines and, at times, the right to demolish buildings as was the case in one of the February rulings.

While the north section of Over-the-Rhine is still recovering, with 60% of its residents classified as low income,[23] Ed Cunningham believes that the district as a whole has reached a "tipping point" where private sector dollars and tax credits will take the lead in continued redevelopment.

Both Cunningham and Johnson see the next opportunity in the Dayton Street Historic District located south of OTR and separated by a highway. The district is heavily residential and was home to many of Cincinnati's important historic figures.[24]

Cunningham's goal is to use another recent city program, Strategic Enforcement and Economic Development (SEED) to assist in the Dayton Street revitalization. Under SEED, a group of buildings in the heart of a district is identified and legal steps are taken to gain control. These buildings are stabilized and painted and the block is landscaped. Working from the center out, staff identifies other properties prime for redevelopment. Staff works with existing homeowners using other programs such as the Compliance Assistance Rehabilitation for the Elderly (CARE) that directly dollars to term homeowners lacking funds to make needed improvements. The long term goal for Dayton Street is to tip the balance to create private investor excitement and confidence. Cunningham believes that, without the city's investment, current at risk buildings will be lost. He would like to see additional funding in each of these areas.

State Incentives

Ohio offers a 25% state historic tax credit, but only for income producing properties.[25] Since its inception, 284 properties in 52 communities have been approved in sixteen biennial tax credit rounds.

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[23] Warminski.

[24] "Dayton Street Historic District, accessed February 20, 2017, at "http://daytonstreethistoric.org/; and Cunningham and Warminski interviews.

[25]Ohio Historic Preservation Tax Credit Program, accessed March 3, 2017, at https://www.development.ohio.gov/cs/cs_ohptc.htm.

Generally, tax credits are capped at $5 million per project. The application process is "highly competitive." In the last round, eighteen projects were approved. Weighted scoring measures variables such as how many past projects were approved in a particular community, poverty levels and vacancy rate of the target buildings and the expected community economic impact. Eight percent of the dollars are set aside for small projects defined as those under $1.25 million. In line with the federal tax rehabilitation tax credit, Ohio's program offers no benefit for rehab of owner occupied properties. So while Cincinnati developers can count the program in their tool kit, homeowners cannot.

The Ohio SHPO is not a governmental body, but a separate not-for-profit organization that manages SHPO related functions. The website presence is "Ohio History Connection." In addition to maintaining a statewide National Register database, they offer GIS mapping of historic resources throughout the state.[26]

Managing Vacant or Abandoned Buildings

Cincinnati's challenges stretch far beyond issues surrounding buildings in designated historic districts or heritage neighborhoods. New city and county tools help manage issues with vacant and derelict properties.

The Vacant Foreclosed Registration Ordinance

Effective July 6, 2012, Cincinnati requires registration of vacant and foreclosed residential property and payment of $515-per-year fee; failure to register comes with stiff penalties compounded daily. The property must pass occupied residence property codes and must pass a point of sale inspection prior to resale. There are currently more than 1,000 properties on this list. The list and an interactive map are available online.[27]

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[26] Kyle Smith, in discussion with author, March 8, 2017. Smith is the GIS manager for the Ohio SHPO. The mapping system is available at https://gis.ohpo.org, accessed through a paid subscription or by less robust free public access.

[27] "Vacant Foreclosed Residential Property Registration," accessed February 21, 2017, at http://cagismaps.hamilton-co.org/cincinnatiServices/VacantForeclosedRegistration/).

The Vacated Building Maintenance License (VBML)

All buildings ordered vacated by the city must be licensed and maintain liability insurance, minimum safety standards, secure openings and protection from decay. A city license is a minimum annual fee of $900 with fines and liens levied if owners do not comply. The annual fee is refundable under certain conditions. A list includes 2,280 buildings; 154 are noted as "historic," one as "historic-condemned"; 888 as "condemned." 1,236 as "keep the building vacant."[28] Cincinnati city code does not permit boarding on building elevations facing the thoroughfare.

The Hamilton County Land Reutilization Corporation (HCLRC)

The HCLRC, incorporated in 2011, is managed by the Port of Greater Cincinnati Development Authority, an economic development and urban redevelopment entity that works with many communities in Hamilton County. Many of the properties come to the HCLRC through tax liens. Most of the residential properties in the HCLRC database are vacant lots.[29]

Summary

Cincinnati continues to struggle with vacant and derelict buildings. Over the past decade, it has enhanced tools that better manage some of its property issues. Money is tight; budget allocations for many initiatives do not meet demand. The current mayor is not as preservation minded as others have been.[30] City staff appear to have formed strong bonds and a commitment to historic infrastructure.

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[28] "Vacant Building Maintenance License," accessed February 21, 2017, at http://www.cincinnati-oh.gov/buildings/assets/File/VBML%20Information%20Rev_%203-3-2017.pdf; and "Buildings Ordered to be Kept Vacant by the City of Cincinnati," accessed February 21, 2017, at http://cagisperm.hamilton-co.org/cpop/vacantbuildings.aspx. The file downloads as a sortable Excel spreadsheet.

[29] Brandon Gumm, in discussion with author, February 10, 2017. A list of available land bank properties is on their website at http://www.hamiltoncountylandbank.org/available-properties/property-list/.

[30] Anonymous, in discussion with author.

Dubuque, Iowa

Overview

In the aftershock of the farm crisis farm crisis that began in the 1970s, Dubuque, Iowa, suffered the highest unemployment rate in the state—23%[31]--and city population fell by 7.8% within a decade. Iowa's oldest town was in need of a new vision; it had continued to operate under its first comprehensive plan adopted in 1936. 1995 brought a new comprehensive plan; in 2006, Dubuque rallied around the goal of becoming an international model for sustainability. Within that broad umbrella, the city took a fresh look at its considerable historic infrastructure, viewing it as an asset and an integrated part of this new initiative. The program envisions economic prosperity, social and cultural vibrancy, and environmental and ecological integrity combining to create a viable, livable and equitable community with sustainable future. [32] Within that sustainability context, preservation of historic infrastructure find a place.

Historic Preservation

Dubuque has five combination local and National Register historic districts. It also has twelve National Register Districts, most clustered in neighborhoods in and near the old downtown. Recent additions include the Fenelon Place and Dubuque Millworking Historic Districts. The total number of properties listed in the National Register is estimated to be about 1,000 structures.[33]

A relatively new concept is conservation districts; the city has created nine located within its downtown neighborhoods. These conservation districts include both historic and non-historic buildings and structures that have been deemed important in terms of their overall value to their neighborhood.

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[31]"History," accessed February 20, 2017, https://imaginedubuque.com/about-2/history-of-planning/#more-103.

[32] The City of Dubuque, "Creating an International Model for Sustainability. Dubuque, Iowa," Revised September 2015. Pamphlet.

[33] "Historic Reports," accessed February 27, 2017, at http://www.cityofdubuque.org/1475/Historic-Reports. The Dubuque estimate is based on comparing the city list of National Register properties with details within historical surveys found on the city's website and in Wikipedia articles. The city's website is an excellent and accessible resource for information about many initiatives and studies.

Some overlap with existing local and national register districts. Combined, they blanket the city's heritage neighborhoods and commercial districts. The city may opt someday to list some in an historic register.[34]

In order to put teeth into preserving these districts, the city's Historic Preservation Commission (HPC) provides demolition oversight in in conservation districts as well as the city's local historic districts and landmarks, bring the total number of properties with demolition review to over 2,900. Certificates of appropriateness are not required for exterior changes in conservation districts. Generally, Dubuque offers no design review or demolition review for properties listed only in the National Register.[35]

For protected properties, demolition by neglect is prohibited by city code. The requirements for those seeking demolition permits have also been strengthened. Petitioners before the HPC must pass a number of hurdles, including proof that all efforts to seek assistance have been made, a record of property maintenance, attempts to sell the property or even copies of 1040 E forms for income producing buildings.[36]

After experimenting with design review guidelines for individual districts, Dubuque developed an all-encompassing guide, available at the city's website to assist owners with construction plans. In recent years, staff has been empowered to grant certificates of appropriateness for routine exterior changes. The HPC's role become one of outreach and education. Some residents express concerns that, in all cases, Secretary of the Interior Guidelines are not being followed; the example cited was approval of vinyl windows for a building that had, to that point, retained its original sashes.[37]

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[34] Dave Johnson, in discussion with author, November 2, 2015, and March 6, 2017. Johnson is Assistant Planner and HPC liaison for Dubuque.

[35] Johnson and "Conservation Districts," http://www.cityofdubuque.org/1461/Conservation-Districts and "Local Historic Districts," http://www.cityofdubuque.org/387/Local-Historic-Districts. In at least one case, parts of the Fenelon Place Residential National Register Historic District, listed in 2015, shares boundaries with conservation district. A recently added Warehouse National Register district does require design review for new construction.

[36] Dubuque City Code, "16-10-3: Identification and Designation of Landmarks, Sites and Historic Districts," http://www.sterlingcodifiers.com/codebook/index.php?book_id=803&ft=1&find=8.

Incentives

Dubuque offers local financial incentives that include low interest loans and grants. Significantly, these funds are available to buildings in both historic and conservation districts. Loans are capped at $25,000 and grants at $5,000. The city also takes advantage of state enabling legislation and offers a property tax relief in older neighborhoods through an Urban Revitalization program that freezes property taxes of eligible buildings for ten years at a pre-improvement rate. All of its historic districts and many conservation districts are part of this area.

The Main Street program has been active in Dubuque for thirty years. In addition to hosting a full calendar of events, it offers a loan pool offers 4.25% fixed loans from $25,000 to $250,000 for purchase or improvements of buildings in eight local and national register districts.[38]

Dubuque preservation rehabbers are among Iowa's most successful at accessing state historic tax credits which began in 2000. State review measures activity by county, but most of Dubuque County projects were located within Dubuque's city limits. Iowa sets aside $45 million a year in a large and small project pool for a 25% tax rebate or refund for eligible properties. The large project pool, 90-95% of the total budget, is highly competitive; a little less than two thirds of awards go to income producing properties. Between 2001 and 2014, Dubuque County, where Dubuque is located, received more than $42 million for thirty three state historic tax credit projects, 21.4% of all program dollars. Total awards for the county were second only to those for Polk, a much more populous county and home to the state capital.[39]

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[37] Anonymous, in discussion with author.

[38] "Dubuque Main Street Fixed Rate Loan," accessed February 27, 2017, at http://www.cityofdubuque.org/DocumentCenter/View/24793; and "Dubuque Main Street," accessed February 27, 2017, at http://downtowndubuque.org/.

[39] Zhong Jim, "Iowa's Historic Preservation and Cultural and Entertainment District Tax Credit. Tax Credits Program Evaluation Study," *Iowa Department of Revenue,* December 2014, p 46-48, 61. Dubuque's award per capita totaled more than $200, one of four counties in that category.

Attracting dollars from national foundations for cities the size of Dubuque can be a challenge. However, Duane Hagerty, CEO of not-for-profit Heritage Works, an agency that focuses on preservation, believes that the spirit of local philanthropy is still strong; initial operating costs for his agency are being underwritten by one local benefactor. He also notes two significant out-of-town donors are contributing to a proposed redevelopment project because they were impressed by city's initiatives and wanted to engage with it.[40]

Vacant and Abandoned Buildings

Dubuque is currently experiencing a housing shortage, and its vacancy rate hovers at about 5%. The city has taken several steps to address issues with vacant or abandoned buildings and requires owners to license them with the city and pay an annual fee of $350. Buildings are so defined if they have violations in one more categories that include lack of utilities, or if they are unsecured or unfit for occupation. The license permits city inspectors to enter buildings once a year to ascertain condition.[41] Since 2011, elevations of vacant properties facing thoroughfares cannot have windows or doors boarded except temporary emergency situations.[42]

Comprehensive Projects

In interviews with staff about historic preservation what is continually stressed is a holistic approach to redevelopment that takes into account not just the buildings but also the people who live in them and the environment that surrounds both. Two recent large scale projects within the city's heritage neighborhoods are excellent examples of this mindset.

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[40] Duane Hagerty, in discussion with author, February 2017. Hagerty grew up near Dubuque, established himself as a lawyer elsewhere and returned to Dubuque to lead Heritage Works. "Heritage Works," accessed February 2, 2017, at http://heritageworksdbq.com/about/.

[41] "City of Dubuque Vacant Building Licensing Application," accessed March 1, 2017, at http://www.cityofdubuque.org/DocumentCenter/View/28297; and Dave Johnson, November 3, 2015.

[42] Dubuque City Code, "14-1A-5: Exterior Security and appearance of buildings," accessed February 28, 2017, http://www.sterlingcodifiers.com/codebook/index.php?book_id=803&ft=1&find=8; and Crenna Brumwell, in discussion with author, November 11, 2015. Brumwell is Dubuque Assistant City Attorney.

Dubuque Millwork Historic District

Developers envisioned this as a regional redevelopment; it encompasses more than one million square feet of vacant warehouse space where more than 2500 people once worked for dozens of companies. The Millwork District was developed as residential, office, retail and arts and entertainment space within three sectors. Walkability and access to downtown and the Mississippi riverfront are stressed in the plan.

A Complete Streets project, finished in 2012, required a $7.7 million dollar investment to make the streets in the district safe and accessible to all types of transportation. One way streets were turned back into two way roads. Issues with water runoff and retention were also part of the multi-dimensional plan. [43] Prior to the development of the district, this triangular shaped section of Dubuque still housed a few traditional businesses but included mostly empty industrial sites.[44] Some of the businesses that still operated in the area moved to other locations as the focus of the area shifted.[45]

Bee Branch

The Bee Branch project focuses on a heritage neighborhood built near a creek flowing into the Mississippi River that had been converted to a covered storm sewer in the 19th century. The area had been subject to flooding many times and many buildings were compromised by flooded basements and mold issues. [46]

A series of community planning sessions beginning in 2003 led to a plan that re-envisioned reopening the creek, removing homes that would never be safe from flooding while moving or restoring

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[43] "Complete Streets Project," accessed March 1, 2017, at http://www.cityofdubuque.org/2351/Complete-Streets-Project.

[44] Based on author's visits to the city.

[45] *The Gazette,* "City officials: Turnover in Dubuque's Millwork District Based on Needs, Not Force," May 30, 2015; accessed February 27, 2017, at http://www.thegazette.com/subject/news/city-officials-turnover-in-dubuques-millwork-districtbased-on-needs-not-force-20150530.

[46] Flooding In the watershed of Bee Branch between 1999 and 2011 resulted in six Presidential Disaster Declarations. City of Dubuque, "Bee Branch Watershed Flood Mitigation Project," Pamphlet, ND.

homes that could be saved, creating catch basins, reducing impervious surfacing and developing flood protection and maintenance systems. A trail and park system along the creek will reconnect it to the city and the Mississippi River. The cost is estimated to top $210 million and the estimated completion date is 2038.

Due to the scope and various state and federal funding pools involved, Dubuque entered into a programmatic agreement with Iowa. The agreement outlined project expectations, review and approval processes and the mitigation plan for affected historic properties. These buildings were moved, demolished or repaired. The city views demolition as "failure"[47] and it committed to recycling 85% of the building materials generated by demo.

Students in the HEART (Housing Education Rehabilitation Training) program have worked to gut and rehab buildings impacted by the Bee Branch project. The program is overseen by Four Mounds, a city owned historic site. HEART provides hands-on training for at-risk high school students. Much of their work takes place in the north end heritage neighborhoods. HEART's educational falls within the city's sustainability guidelines by providing education and empowerment.

Summary

Dubuque seems to be a city that follows the credo "make no little plans."[48] When it comes to planning, assistant city planner Dave Johnson says it is all about "people, planning and partnership. It all starts out with people." He believes that community members and the city council understand and appreciate Dubuque's historic resources and how they contribute to intangibles like maintaining a sense of place as well as their ability to drive economic development.[49]

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[47] Laura Carstens, in discussion with author, August 1, 2016. Carstens is Dubuque's Planning Services Manager.

[48] Attributed to architect Daniel Burnham.

[49] Johnson, March 6, 2017.

Syracuse

Overview

Syracuse adopted its Landmark Preservation ordinance in 1975[50] during a period of precipitous

population decline. Between 1960 and 2000, the city lost 31.8% of its residents as upstate New York and

the city faced challenging economic times. Syracuse leadership opted for demolition to deal with

Between 2000 and 2010, as population decline slowed, pressure on historic infrastructure and a powerful

new preservation advocate triggered efforts to resurvey and quantify this city resource.[51]

Preservation Management

Syracuse has four local Preservation Districts, two primarily residential and two primarily

commercial. The residential districts, Sedgewick and Berkley Park, tend to be affluent. The city also has

twelve National Register residential and commercial districts. A 2012 Preservation Plan also notes eighty

individual properties that are listed in the National Register and/or are local Protected Sites. Community

survey efforts began in the 1980s in response to requirements of federal Community Development Block

Grant (CDBG) funding.[52]

The Syracuse Landmarks Preservation Board (LPB) is comprised of nine members. The board

reviews applications for local landmarks and approves or denies certificates of appropriateness for

individual Protected Sites or for buildings located in local Preservation Districts. The board also reviews

demolition requests for any Protected Sites or properties in local or National Register districts.[53] This

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[50] "Historic Preservation Plan Syracuse New York. A Component of the Syracuse Comprehensive Plan," 2012, accessed February 23, 2017, at
https://drive.google.com/file/d/0B2Xo82GXTbPdbUZjN3J0R3pBN3c/view.

[51] Cara Bertron, "Between a Rock and a Historic Place: Preservation in Postindustrial Urban Planning," University of Pennsylvania, Philadelphia, PA, 2011, 44, 47-48. Accessed December 12, 2016 at http://repository.upenn.edu/hp_theses/181; and Joseph Schilling and Jonathan Logan,
 "Greening the Rustbelt," *Journal of the American Planning Association*, Autumn 2008, accessed December 14, 2016, at http://www.esf.edu/cue/documents/Greeningtherustbelt.pdf.

[52] "Historic Preservation Plan Syracuse New York. A Component of the Syracuse Comprehensive Plan."

[53] "Historic Properties List," accessed January 24, 2017, at

procedure can be set aside if a building has been deemed dangerous or unsafe. There have been a number of instances where city code enforcement and fire officials have pushed successfully for demolition. The city's code does not address demolition by neglect. Language addressing this issue is being drafted for inclusion in a revised preservation ordinance.[54]

Anyone can nominate a property or district as a Protected Site or a local Preservation District by petitioning the Planning Commission. The Commission calls a hearing, the LPB adds its comments, and recommendations from both bodies are sent to the city council. The ordinance does not require a majority of property owners to agree to the designation; in fact, affected owners are not notified until city council has voted. Despite this, LPB staff liaison Kate Aurwaeter believes that strong neighborhood buy in is a prerequisite to council approval.[55]

Historic Infrastructure

The New York state Cultural Resource Information System (CRIS) lists 1,236 individual properties listed in the National Register.[56] Give the age of city building stock, that number does not approach the number of buildings potentially eligible for National Register listing or located within heritage neighborhoods. In 2009, in response to demolition requests triggered by federal stimulus money, the city created an in-depth report; its Landmark Preservation Board ordinance requires review of any demolition request for buildings fifty years or older. The report found many properties targeted for demolition significant and estimated more than 50,000 buildings were constructed prior to 1960.[57]

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http://www.syracuse.ny.us/Historic_Property_list.aspx.

[54] Kate Auwaeter, in discussion with author, February 3, 2017.

[55] Ibid.

[56] "CRIS," accessed February 28, 2017 at https://cris.parks.ny.gov/Login.aspx?ReturnUrl=%2f. The city does not keep a record of this figure. The number was reached by counting with CRIS the individually listed properties and adding to that the number of contributing resources with each historic district. The accuracy is dependent on the how well the state databased is kept updated.

[57] Bertron, 47-48.

According to Neighborhood & Business Development Commissioner Paul Driscoll, historic designation was once considered a negative, the "kiss of death" because Syracuse had once been placed on probation that placed preservation oversight at the state level.[58] Auwaeter agrees; she recalls that owners once said, "Please tell me my property is not historic." Now, she says, they are "begging" to get historic designation.[59]

A sea change occurred for historic preservation in 2009, gaining it powerful community support. That year, common council[60] member and mayoral candidate Stephanie Miner, created a *50 Point Plan* that included the positive outcomes of retaining historic infrastructure. She was elected later in the year and Syracuse had a preservation advocate in its highest office.[61]

Early in Miner's first term, HUD foreclosed on nine fifty-unit apartment buildings. Miner convinced HUD to drop its initial plans to auction the properties and allow the city to find developers. Syracuse was successful, state historic tax credits fueling the effort, and all are renovated and occupied today. Developers, eager to use various government incentives, continued to pressure the city for support, an asset to most applications; frequently, they would cherry pick only the best available buildings or push for new construction. Under Mayor Miner, the city began allocating its support toward redevelopment and not new development based on city needs.[62]

City and State Incentives

In 1997, Syracuse, adopted the "Ithaca Law"; it provides 10-year relief from property tax increases linked to improvements and applies only to locally designated historic properties.

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[58] Paul Driscoll, in discussion with author, March 3, 2017.

[59] Auwaeter.

[60] In New York State, "city councils" are called "common councils."

[61] Bertron, 45.

[62] Driscoll.

State historic tax credits have been a boon to Syracuse, particularly in its downtown area where there are now about 3800 market rate residential units; 20 years ago, housing limited to a few affordable high rise buildings.[63]

In New York, state historic tax credits are available for commercial and owner occupied buildings. The two programs operate under separate sets of rules but both are administered by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). The "Commercial Rehabilitation Tax Credit" mirrors the federal rehabilitation tax credit (RTC) exactly, including a 20% tax reduction for state taxes. The only difference for the state program is that eligible buildings must be located in low to moderate income census tracts. Buildings that qualify for RTC are automatically qualified for the state tax credit; there is no need for a separate state application. Additionally, for out-of-state developers, tax credits granted for buildings rehabbed after 2015 are completely refundable.

The Historic Home Ownership Rehabilitation Tax Credit program assists National Register listed owner-occupied buildings, single or multiple family, located in low-moderate census tracks. In upstate New York as elsewhere, these tracts often co-exist with historic districts. Successful completion brings the owner a 20% reduction in state taxes. There are other incentives for people of modest means. Families with an income of less than $60,000 a year do not pay a registration fee and they may receive their tax credit as a cash refund.

Owners apply using a simple application form. Qualified expenses can be as high as $250,000 and owners can reapply to the program for future projects. The program does require that Secretary of Interior Standards be followed, but staff appears to be flexible in interpreting the Standards.[64]

Beth Cumming, an OPRHP Senior Historic Site Restoration Coordinator, says the state had purposely made the application simple one that she believes homeowners can complete. She cites the city

[63]Ibid.

[64] Larry Moss, in discussion with author, February 21, 2017. Moss is an architect who works with OPRHP. He indicated that unpainted aluminum storm windows would be an acceptable replacement; federal HTC and Iowa SHTC reviewers require painted storms.

of Buffalo as an early adopter of both the commercial and homeowner tax credit program.

Unlike Iowa' SHPO, whose historic tax credit applications for residential properties require the same rigor as those for multi-million dollar commercial projects, New York offers homeowners a relatively streamlined application. For example, there is no requirement for New York homeowners to prepare an extensive, and sometimes costly, site inventory to determine eligibility. The only historic information required is the name of the historic district in which the property is located and a few photographs of the building. Despite its relative simplicity, Cumming feels that the application process can be daunting for homeowners and would like to see CLG funding directed toward hiring people at the local level to assist homeowners with their applications.[65]

The Land Bank

In 2011, New York State Land Bank passed legislation authorizing land banks. The Greater Syracuse Land Bank (GSLB), formed in 2012, was one of the first five such organizations established. State law allowed their creation as not-for-profit, charitable corporations with the power to own, demolish, rehabilitate or foreclose on properties. The state's primary focus was addressing issues with foreclosed residential buildings.[66]

The GSLB became the primary repository for Syracuse properties seized through tax sales or delinquent tax liens. Property tax delinquency was a big problem for the city. In the 1990s, Syracuse engaged in tax sale auctions to for-profit companies who would resell them to other financial groups. Paul Driscoll defines the past practice as "cruel." The city ceased the auctions and took no enforcement action for about ten years. With no penalties motivating compliance, some residents simply paid no taxes at all and an estimated 1200 properties became chronically delinquent with liens dating back two years. These were the properties seized and turned over to the land bank. Many were occupied, some by renter and

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[65] Beth Cumming, in discussion with author, February 16, 2017. Beth's professional training is as an engineer; she has a background in code enforcement.

[66] Office of the New York State Comptroller, "Land Banks Enter the Fight against Blight," accessed March 3, 2017, at http://syracuselandbank.org/wp-content/uploads/2017/01/landbanks1016-1.pdf.

others by elderly homeowners. The Department of Neighborhood and Business Development focused on relocating homeowners, going door to door to offer assistance.[67] The Executive Director of the GSLB is Katelyn Wright, who, as an intern, produced the 2009 in-depth report and was later hired as a planner by the city.[68]

As of March 1, 2017, the GSLB had acquired 1,295 properties, sold 419 and demolished 175. It claims to have generated $16 million in private investment, leverage increased property taxes by $749,000 a year. On its website, interested parties can apply for residential and commercial buildings as well as side lots and green lots. Of the fifty two properties currently on an active for sale list, most appear to be more than fifty years old and all but one is residential. These properties are offered with photos, property details, and an interactive map. A spreadsheet including only property name and location is also available to download.[69]

Initial funding for the land bank, $5 million in the case of the GSLB, came from state dollars received from settlement dollars stemming from bank lawsuits. The city and county provide annual funding of about $2 million.[70]

The land bank's ability to fund itself long term was a question raised in a 2015 audit.[71] This was a concerned recognized by the state at the time enabling legislation was passed. This need to generate

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[67] Driscoll.

[68] Bertron, 47. Despite repeated calls, emails and scheduled phone calls, the author was unable to speak with Katelyn Wright, Executive Director of the GSLB and had to rely on website information and other interviews for information about the GSLB.

[69] "Greater Syracuse Land Bank," accessed February 15, 2017, at http://syracuselandbank.org/.

[70] "A.G. Schneiderman Awards $20M to Land Banks across New York State," October 15, 2014, accessed March 3, 2017, at https://ag.ny.gov/press-release/ag-schneiderman-awards-20m-land-banks-across-new-york-state; and Paul Driscoll.

[71] Robert E. Antonacci II, CPA and the Syracuse City Auditor Martin D. Masterpole, "The Greater Syracuse Property Development Corporation 'The Land Bank' Audit," August 27, 2015, accessed March 3, 2017, at http://www.syrgov.net/uploadedFiles/City_Hall/Elected_Officials/Content/Land%20Bank%20Final%208-15.pdf.

revenue has put pressure on the GSLB to turn over properties quickly. All sales come with a lien requiring owners to bring properties up to code within one year. Not all owners have complied but no liens have been called in.[72]

The sheer volume of properties owned by the land bank makes it difficult for it to move the buildings into new ownership as quickly as some residents would like. Some south siders are frustrated that many homes in their area owned by GSLB still sit vacant. Wright contends that vacant properties on the north side, first into the GSLB inventory have a higher priority. She hopes work on the south side will catch up with that in the north by 2018.[73]

Despite the obvious age of the properties offered in the active for sale list and the possibility that surveyed historic properties could be among those listed in its inventory, the GSLB offers no history preservation links, a map that relates historic preservation districts to land bank properties, or information about the state historic tax credit program.

City Code Affecting Heritage Neighborhoods

Syracuse is a city challenged by a 15.5% residential property vacancy rate; 61.4% of its residents rent and do not own their homes; 72.5% of its housing units were built prior to 1960.[74] In that environment managing vacant properties and rentals becomes critically important. The city has several tools at hand.

Vacant Property Registry (VPR)

The city's website notes approximately 1800 vacant but tax compliant properties of all types

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[72] Driscoll.

[73] Benjamin Roth, "Syracuse Land Bank Needs More Time to Revitalize South Side," October 18, 2016; accessed March 3, 2017, at https://nccnews.expressions.syr.edu/2016/10/18/syracuse-land-bank-needs-more-time-to-revitalize-south-side/.

[74] U. S. Census, "Selected Housing Characteristics. 2011-2015 American Community Survey 5-year Estimates," accessed February 20, 2017, at https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF.

within its boundaries and claims that code enforcement was spending $400,000 to inspect them. On April 13, 2016, the city passed an ordinance that required owners of vacant properties with exterior code violations to register them under a new city program. With a stated goal of reducing blight, owners are given an option to rehabilitate and reoccupy, stabilize and maintain, or demolish their buildings. Each option comes with requirements and the first two—rehabilitate or stabilize—come with fees that range from $100 to $1000 a year per residential unit on a scale that increases each year. By year four, a 7-unit residential building would pay $7,000 a year to the VPR. Penalties apply for non-compliance.[75]

Rental Registry

City code was amended in 2010 to require that one or two family non-owner occupied dwellings obtain a rental certificate. To receive a certificate, owners must be current on taxes and services, have no pending abatement procedures or orders of closure or any open cases with Code Enforcement. The building must also pass an exterior inspection. The certificate costs $150 every two years and must be posted at the residence. The instructions for filing seem very confusing. The website page detailing the rental registry also includes links to "Unfit Units" and "Unfit Structures" lists. However, these do not appear to have been updated in four years. [76]

Summary

Change in city leadership that saw preservation as an opportunity as well as powerful state land bank legislation changed how Syracuse addresses housing issues within its heritage neighborhoods. There was much activity surrounding assessment of historic infrastructure in 2010; it would appear that momentum has slowed. The city has benefitted from use of state historic tax credits, but most of these projects are located in downtown areas.

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[75] "Vacant Property Registry," accessed February 26, 2017 at http://www.syrgov.net/VacantRegistry.aspx.

[76] "Unfit Premises," accessed February 28, 2017, at http://www.syrgov.net/UnfitPremises.aspx.

The GSLB may be the most powerful tool for impacting heritage neighborhoods. How it will be able to continue to funding its operations as well as find enough new owners for its many vacant properties will determine its future success.

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