# **Heart of the City: Revitalization in Heritage Neighborhoods**

Report Three Buffalo, NY – Dayton, OH

Marion Meginnis Independent Study HP April 30, 2017 "In general, when cities shrink, poverty isn't far behind, for two reasons—one obvious, the other subtler. The obvious reason: urban populations fall because of relocation of industry and drop in labor demand; as jobs vanish, people living in a city get poorer. The subtler reason: declining areas also become magnets for poor people, attracted by cheap housing."

Writing in 2008, Harvard professor of economics Edward L. Glaeser described how the population of Buffalo changed with the city's fortunes. He could as easily have been writing about Dayton, Ohio.

Dayton and Buffalo, the cities researched for this report are classic examples of the staggering toll taken on American cities by the collapse of the manufacturing economy. They are both examples of legacy rustbelt cities whose 19<sup>th</sup> and 20<sup>th</sup> century industrial prowess built prosperous urban centers with great civic architecture and beautiful neighborhoods. By mid-20<sup>th</sup> century, loss of jobs, white flight, suburbanization, and fundamental changes in how America did business left them with fewer jobs, shrinking populations, racially divided districts, an obsolete industrial infrastructure and lower tax bases. In 2010, Buffalo's population was less than half of what it was in 1960 and 55% less than its peak in 1950. Between 1960 and 2010, Dayton's population dropped by 46%. The cities and their residents became poorer, lacking the resources to rebound. In this environment, many heritage neighborhoods fell victim to these very different economic times.

City	Buffalo, NY	Dayton, OH	Davenport, IA
Population 1960/1970/2010*	532,759/462,768/261,310	262,332/243,601,/141,527	88,981/98,469/99,685
% Housing stock built before 1960**	84.7%	58.8%	48.6%
NR Listed Properties (Est.)***	3,707	3,000	1,600+
Total Housing Units/% Vacant **	132,134/16.3%	74,254/22.8%	44,638/7.9%

#### Source

\*Population.us, "Population of Dayton, OH," accessed April 20, 2017, at http://population.us/oh/dayton/ and "Population of Buffalo, NY," accessed April 20, 2017, at http://population.us/ia/davenport/. The city's peak population was 103,264 in 1980.

http://www.ci.buffalo.ny.us/files/1\_2\_1/city\_departments/SPlanning/PreservationBoard/DesignatedProperties.pdf. Dayton's estimate comes from the city Preservation Officer. Rachel Banowitz, in discussion with author, April 26, 2017. Davenport's is an estimate based on historical numbers.

<sup>\*\*</sup> United States Census, Buffalo city, NY; Davenport, IA; Dayton, OH, "Selected Housing Characteristics, 2011-2015 American Community Survey 5-Year Estimates," American Factfinder, accessed April 20, 2017 and February 20 2017, at https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF.

<sup>\*\*\*</sup>National Register Properties are included so as to give a sense of surveyed historic assets. Getting estimates is challenging. Buffalo's estimate comes from a 2011 list "Locally Designated Historic Properties in the City of Buffalo By Address," accessed April 10, 2017, at

<sup>&</sup>lt;sup>1</sup> Edward L. Glaeser, "Can Buffalo Ever Come Back?" *New York Sun*, October 19, 2007, accessed April 20, 2017 at http://www.nysun.com/opinion/can-buffalo-ever-come-back/64879/.

## **Buffalo, New York**

#### Overview

Buffalo is New York State's second largest city, sited on the eastern shore of Lake Erie.

Nicknamed "The Queen City," it retains a rich legacy of beautiful architecture and a city park system designed by Frederick Law Olmsted, America's best known landscape architect. Joseph Ellicot, a surveyor who helped lay out Washington, D.C., designed Buffalo as a radial city, with streets starting from a central point to the west and fanning out to the east.<sup>2</sup> When Olmsted toured the city in 1868, he found an urban space he described as "the best planned city...in the United States, if not the world." He proposed, not one park, but "a city within a park," a series of landscapes connected by parkways. His firm continued to add elements for thirty years, creating six parks, seven parkways as well as landscaped circles and smaller park spaces. Olmsted's plan was "the nation's first "comprehensively planned municipal park system."

The city's strategic position along the Erie Canal, the body of water connecting the Great Lakes with the Hudson River and thus the Atlantic Ocean, made it an ideal transfer point for goods like wheat

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<sup>&</sup>lt;sup>2</sup> "Frederick Law Olmsted. Designing Western New York," Video, accessed April 20, 2017, at http://www.pbs.org/wned/frederick-law-olmsted/learn-more/olmsteds-buffalo-park-system-and-its-stewards/.

<sup>&</sup>lt;sup>3</sup> "America's Best Designed City," accessed April 14, 2017, at http://www.buffalo.edu/about\_ub/the-buffalo-niagara-region.host.html/content/shared/university/page-content/the-buffalo-niagara-region/getting\_around.detail.html.

<sup>&</sup>lt;sup>4</sup> The author can find no source that verified this quote as Olmsted's, but the term is often used in quotes with no attribution. "Frederick Law Olmsted's Buffalo Park System: Drawings and Photos of the First Park and Parkway System in America," accessed April 26, 2017, at https://buffalohistorymuseum.com/tag/frederick-law-olmsted/.

<sup>&</sup>lt;sup>5</sup> "Olmsted's Legacy," accessed April 20, 2017, at https://www.bfloparks.org/about/history/.

<sup>&</sup>lt;sup>6</sup> "Frederick Law Olmsted Designing America," accessed April 20, 2017, at http://www.pbs.org/wned/frederick-law-olmsted/learn-more/olmsteds-buffalo-park-system-and-its-stewards/.

coming from the interior. In the mid-19<sup>th</sup> century, the city shifted to grain storage and flour milling on a grand scale. Easy access to water-based transportation also encouraged development of heavy industry. In the early 20<sup>th</sup> century, Buffalo's proximity to Niagara Falls as an electrical energy source further pushed its manufacturing advantage.<sup>7</sup>

Its population peaked at 580,000 in 1950 and then began a rapid decline. When the St. Lawrence Seaway opened in 1957, Buffalo was bypassed. Earlier, the advantage of river transportation had lessened as rail transport became cheaper and highways provided other delivery options. In the 1960s, the addition of highways through the city's core destroyed parts of its unique park system. A highway running through one parkway split the east side. Another cut a swath through an original park. A waterfront park fell victim to the I-90 thruway separating the city from part of its waterfront.

Buffalo's downward population trajectory has slowed, but the number of residents continues to shrink; the 2014 estimate was 258,703.<sup>10</sup> Within the 52.5-square-mile area of the city, more than thirty one percent of people live in poverty; a 2014 U.S. Census Department report listed it as the fourth poorest city in America.<sup>11</sup> The city struggles with thousands of chronically vacant residential buildings.<sup>12</sup> In 2014, among American cities with more than 100,000 housing units, Buffalo ranked tenth worse in the nation

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<sup>&</sup>lt;sup>7</sup> Edward L. Glaeser, "Can Buffalo Ever Come Back?"

<sup>&</sup>lt;sup>8</sup> Glaeser.

<sup>&</sup>lt;sup>9</sup> "Frederick Law Olmsted Designing America."

<sup>&</sup>lt;sup>10</sup> "Population of Buffalo, New York, accessed April 10, 2017, at http://population.us/ny/buffalo/.

<sup>&</sup>lt;sup>11</sup> Emily Guggenmos, "Buffalo Is the Fourth Poorest City in the Nation," June 5, 2014, accessed April 29, 2017, at http://wivb.com/2014/06/05/buffalo-is-4th-poorest-city-in-nation/.

<sup>&</sup>lt;sup>12</sup> This figure tops 11,000 and is described as "other vacant," or homes that have not been actively marketed for sale. There are an additional 6000+ that are vacant, either for sale or with sales pending; and "Population of Buffalo, New York."

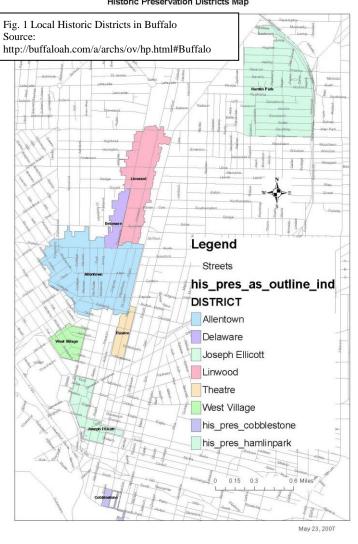
for vacant housing units, with a number pegged at over 18,000.<sup>13</sup> While prosperity is returning to its west side, much of the east side of the city remains in what one writer calls "utter disrepair."<sup>14</sup>

Much effort has gone into revitalizing both the city's downtown area and its neighborhoods. The

core business area is experiencing active
mixed-use redevelopment of commercial
structures; the old industrial waterfront is being
reclaimed. Weapons in the war on blight
include extraordinary investment by the state
of New York and a new city zoning code that
seeks to reverse decades of suburban
development that hurt the city's historic
development.

## **Historic Infrastructure**

Buffalo has nine National Register and local historic districts which are identified by individual maps on the city's website. 15
(Fig. 1)



<sup>&</sup>lt;sup>13</sup> G. Scott Thomas, "Buffalo Finishes among the 10 Cities with the Worst Vacancy Rates for Housing," accessed April 28, 2017, at http://www.bizjournals.com/buffalo/blog/morning\_roundup/2014/10/buffalo-finishes-among-the-10-cities-with-the.html.

<sup>&</sup>lt;sup>14</sup> Ethan Powers, "The Tour de Neglect: A Cycle Ride through Buffalo's Deprived East Side," The Guardian, October 14, 2014, accessed April 29, 2017, at https://www.theguardian.com/cities/2014/oct/14/-sp-cycle-buffalo-new-york-deprived-east-side-tour-deneglect#img-8.

<sup>&</sup>lt;sup>15</sup> "Maps of Historic Districts," accessed April 10, 2017, at http://www.ci.buffalo.ny.us/Home/City\_Departments/Office\_of\_Strategic\_Planning/RegulatoryBoards/Pr eservation\_Board/MapsHistoricDistricts.

A city list dated April 2011 of locally designated historic properties in these districts includes 3,707 addresses. <sup>16</sup> The site also offers links to Historic Resources Intensive Level Surveys of four additional neighborhoods. <sup>17</sup> These surveys include hundreds of individual addresses and photos; the properties are not included in the list of locally designated historic properties. <sup>18</sup>

## **Historic Preservation Management**

A nine-person Preservation Board reviews all exterior changes to landmark properties or properties within Preservation Districts. A staff-level review may be possible if the proposed work is limited in nature. More complex requests are reviewed at bi-monthly meetings of the board. Secretary of the Interior's Standards for Rehabilitation form the framework for decision making.<sup>19</sup>

Applicants seeking demolition approval for city landmark properties must demonstrate hardship. In addition to demo permits for these structures, the Preservation Board reviews applications for demolition anywhere in the city; the only buildings excluded are structures built for automobile storage. The role is advisory, but puts demolition on hold for thirty days.<sup>20</sup> Despite this power, the city's webpage

<sup>&</sup>lt;sup>16</sup> "Locally Designated Historic Properties in the City of Buffalo By Address," accessed April 10, 2017, at http://www.ci.buffalo.ny.us/files/1\_2\_1/city\_departments/SPlanning/PreservationBoard/DesignatedPrope rties.pdf.

<sup>&</sup>lt;sup>17</sup> "Project Description," accesses April 10, 2017, at http://www.ci.buffalo.ny.us/files/1\_2\_1/SPlanning/PreservationBoard/Surveys/Triangle%20Report%20Se ctions/Sec%201-Project\_Description.pdf.

<sup>&</sup>lt;sup>18</sup> "Historic Resources Intensive Level Survey," accessed April 10, 2017, at http://www.ci.buffalo.ny.us/Home/City\_Departments/Office\_of\_Strategic\_Planning/RegulatoryBoards/Pr eservation\_Board/HistoricResourcesIntensiveLevelSurvey.

<sup>&</sup>lt;sup>19</sup> "Historic Preservation," accessed April 10, 2017, at http://www.ci.buffalo.ny.us/Home/City\_Departments/Office\_of\_Strategic\_Planning/RegulatoryBoards/Pr eservation\_Board.

<sup>&</sup>lt;sup>20</sup> "Expanded Application for Demolition for Properties Not Landmarked or in a Historic District," accessed April 10, 2017, at <a href="http://www.ci.buffalo.ny.us/files/1\_2\_1/city\_departments/SPlanning/PreservationBoard/DemolitionApplicationNon-HistoricProperties.pdf">http://www.ci.buffalo.ny.us/files/1\_2\_1/city\_departments/SPlanning/PreservationBoard/DemolitionApplicationNon-HistoricProperties.pdf</a>.

explaining demolition procedures and the diagrams accompanying each example do not mention the thirty-day review process by the Preservation Board.<sup>21</sup>

## **Governance: Issues Affecting Heritage Neighborhoods**

Rental Registry

In Buffalo, 58.5% of residents rent their homes.<sup>22</sup> Despite city code requiring registration and inspection of most rental properties, one knowledgeable observer believes that few inspections take place and that the ordinance is ineffective because it has little muscle to force compliance.<sup>23</sup>

Annual registration fees are a modest \$20-40 a year for a single family home rental or a duplex. The city charges no registration fee for new buildings, boarding houses, or owner-occupied single family homes. Non-compliant buildings are sent notices and fines increase if issues are not addressed.<sup>24</sup>

Vacant/Abandoned Property

In a 2015 city report, estimates placed the number of vacant housing units at 20,500; of those 11,200 were "other" vacant units, those that were not on the market. The vast majority of these are not tax delinquent. But the report goes on to note that houses that are long vacant are more likely to become derelict. <sup>25</sup> Code includes no demolition by neglect or required boarding language. It does charge owners with the responsibility of repairing or demolishing structures deemed "abandoned, dilapidated,"

<sup>&</sup>lt;sup>21</sup> "Demolition FAQs," accessed April 28, 2017, at https://www.ci.buffalo.ny.us/Home/City Departments/EDPIS/Inspections/Demolition/DemolitionFAQs.

<sup>&</sup>lt;sup>22</sup> United States Census, Buffalo city, New York, "Selected Housing Characteristics, 2011-2015 American Community Survey 5-Year Estimates," *American Factfinder*, accessed April 20, 2017, at https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF.

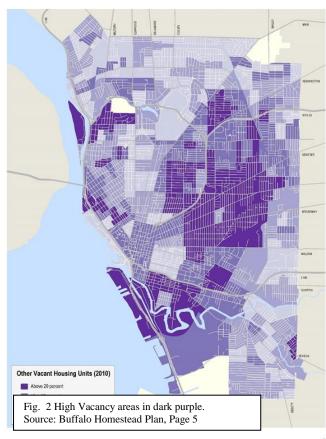
<sup>&</sup>lt;sup>23</sup> Anonymous source, in discussion with author.

<sup>&</sup>lt;sup>24</sup> "Chapter 264: Rental Dwelling Unit Registration," City of Buffalo, NY, accessed April 10, 2017, at http://ecode360.com/11767321.

<sup>&</sup>lt;sup>25</sup> "Homestead Plan City of Buffalo," 4, October 2015, accessed April 28, 2017, at http://buffalogreencode.com/October2015/Homestead\_Plan.pdf.

deteriorated, decayed or unattractive so as to endanger health, safety or welfare." If the city takes action to address blight, a lien is placed against the property. While 10,000 cases a year are prosecuted, Buffalo still struggles with properties with roofs. 27 (Fig. 2)

The Foreclosure Relief Act of 2016
permits cities to intervene in the tax sale process
by acquiring properties in upcoming auctions,
three of which took place in October of last year.
The goal of the legislation was to prevent
speculators from purchasing properties they had
no intention of improving while at the same time
putting them into the hands of people willing to



HOMESTEAD PLAN 5

renovate them. Another target was rentals that were routinely allowed to become tax delinquent that were then repurchased by another negligent landlord.<sup>28</sup>

Buffalo's challenged east side, including its neighborhoods, experience a higher vacancy rate.

One group that is opting to settle here are Muslim immigrants from Bangladesh. One activist who pledged to bring 300 of his countrymen to the city five years ago now claims that 5,000 have arrived. A blighted home purchased at a 2016 auction for \$9,500, now converted into four apartments, is one of dozens of

<sup>&</sup>lt;sup>26</sup> "Chapter 113: Buildings, Unsafe," City of Buffalo, NY, accessed April 10, 2017, at http://ecode360.com/13552901?highlight=historic#13552901.

<sup>&</sup>lt;sup>27</sup> Chris Hawley, in discussion with author, April 13, 2017. Hawley is Buffalo's Preservation Officer.

<sup>&</sup>lt;sup>28</sup> "Mayor Brown's Push for Legislation to Combat Blight Gets Governor Cuomo's Signature," accessed April 28, 2017, at http://www.city-buffalo.com/Mayor/Home/Leadership/PublicRelations/Press\_Releases/Mayor\_Browns\_Push\_for\_Legislation\_to\_Combat\_Blight.

east side houses being transformed by this ethic group.<sup>29</sup> The city of Buffalo publicly supports immigration, seeing it as an option to bolster a shrinking population. And, indeed, between 2009 and 2013, the number of non-native residents grew, offsetting what would have been a more dramatic population loss.<sup>30</sup>

#### Code Enforcement

Buffalo offers a 311 Call and Resolution Center via telephone or online twenty four hours a day that allows citizens to register complaints, reach other city departments or have questions answered. Some requests receive tracking numbers. Click through options lead users through various options. Complaints may be left anonymously.

In 1978, state law established the Buffalo Housing Court to deal with deteriorated properties. The court can intercede on such matters as housing violations, tax lien foreclosure cases, lead poisoning cases, and receiverships.<sup>31</sup> By 2014, the court had placed 300 properties in receivership, allowing rents to be collected by a legal receiver who then used them toward payment of repairs.<sup>32</sup>

Some in the city believe that, due to a change in judges, housing court is no longer functioning effectively. Patty McDonald lives in the historic Allentown neighborhood. In 2014, she established Project Slumlord to address issues with bad landlords and to push for legislature to more effectively force

<sup>&</sup>lt;sup>29</sup> Donn Esmonde, "Muslims Moving against East Side Blight," *The Buffalo News*, May 28, 2016, accessed April 29, 2017, at http://buffalonews.com/2016/05/28/muslims-moving-against-east-side-blight/. <sup>30</sup> Laura E. Kirkpatrick, "In New York State, a City Willing to Settle Refugees the Right Way," October 20, 2015, accessed April 29, 2017, at http://www.passblue.com/2015/10/20/in-upstate-new-york-a-city-willing-to-settle-refugees-the-right-way/.

<sup>&</sup>lt;sup>31</sup> "Buffalo Housing Court, Landlord/Tenant Court, Erie County," accessed April 28, 2017, at http://www.nycourts.gov/courts/8jd/Erie/bcchousing-more.shtml and Sandra Tan, "In Unusual Step, City Court Judge to handle Lead-Violation Cases Countywide," *The Buffalo News*, December 20, 2016, accessed April 29, 2017, at http://Huffalonews.com/2016/12/20/buffalo-housing-court-hear-suburban-lead-violation-cases/.

<sup>&</sup>lt;sup>32</sup> Al Vauters, "Housing Court Cracking Down on Unresponsive Buffalo Landlords," February 20, 2015, accessed April 29, 2017, at http://wivb.com/2015/02/20/city-housing-court-cracking-down-on-unresponsive-landlords/.

compliance. She claims to have followed the case of one house in her neighborhood whose owner faced sixty two hearings and adjournments and still did not address the issues with the property.<sup>33</sup>

#### Buffalo Green Code

For Preservation Officer Chris Hawley, zoning plays a more important role in protecting historic and heritage area than do formal historic preservation tools since these tools impact relatively small areas, while zoning guides impact neighborhoods all over the city.<sup>34</sup> In late 2016, a seven-year planning process culminated in the publication of the Buffalo Green Code, a form-based code that encourages redevelopment of city neighborhoods as the mixed use districts they once were. Buffalo joins Miami and Denver as the third large American city to adopt this style of code.<sup>35</sup> The Code elements include a Land Use plan, a unified development ordinance, a local waterfront development plan, a brownfield opportunity area and ends with an environmental impact statement.

The city's ordinance had not been overhauled since 1953; with patches and updates it grew to 1,804 pages. The 1953 code sought to compete with the growing suburbs by ordinances that encouraged suburban growth in the city. Hawley describes these changes as a "disaster" for the old mixed use nature of the city.<sup>36</sup>

The Green Code encourages preservation and restoration of historic neighborhoods by offering new protections against demolition, allows more "adaptive reuse" of landmark properties and promotes high quality infill. Under the old code, the city had thirty urban renewal plans; some had been detrimental

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<sup>&</sup>lt;sup>33</sup> Donn Esmonde, "Buffalo Gives Slumlords Too Many Free Passes, *The Buffalo News*, January 4, 2014, accessed April 29, 2017, at http://buffalonews.com/2014/01/04/buffalo-gives-slumlords-too-many-free-passes/.

<sup>&</sup>lt;sup>34</sup> Hawley interview.

<sup>&</sup>lt;sup>35</sup> "Mayor Brown and Common Council Host Signing Ceremony of City's New Unified Development Ordinance," accessed April 28, 2017, at http://www.city-buffalo.com/Mayor/Home/Leadership/PublicRelations/Press\_Releases/Buffalo\_Unified\_Development\_O rdinance.

<sup>&</sup>lt;sup>36</sup> Hawley interview.

to older neighborhoods. These have been eliminated except for a revised Homestead plan, discussed in the "Financial Incentives" section below. The unified development portion of the code sets the standards for all city areas.<sup>37</sup>

#### **Financial Incentives**

## Tax Exemption

Property tax increases arising from improvements on contributing properties in historic districts can reduced by a graduated nine-year scale that offers a 100% exemption for the first five years, and a smaller amount for the next four. The exemption applies only to exterior work or work on an interior public space. The exemption is not available when the work increases density in a single family home or a duplex. Non-residential buildings that are converted to mixed use are exempt from property tax increases for twelve years. These exemptions must be approved by Buffalo Preservation Board.

## Homestead Program

The city introduced a "Homestead" program in 1974 to encourage redevelopment of city-owned lots and houses as owner-occupied dwellings. Under the old "Urban Homestead" program, between 2009 and 2014, 222 residences and 179 lots were sold for \$1.00.<sup>38</sup> That program evolved as needs changed to a new initiative. Buffalo and the Erie County lank bank, will sell houses or lots in a number of "Homestead Areas" located throughout the city. Prospective buyers of existing homes must demonstrate the ability to pay for rehabilitation, complete the work within eighteen months, and live in the home for three years. Those purchasing vacant lots for new construction must follow the same rules and also provide building plans. Those purchasing side lots must have proof of ownership and occupancy of an adjacent parcel.

<sup>&</sup>lt;sup>37</sup> "The Buffalo Green Code Unified Development Ordinance Becomes Effective Citywide," accessed April 10, 2017, at http://www.buffalogreencode.com/.

<sup>&</sup>lt;sup>38</sup> "Homestead Plan," 8-13.

State Historic Tax Credits and Federal Rehabilitation Programs

State historic tax credits offer a 20% tax credit for both income-producing and residential properties located in a low-moderate income census tracts. Buffalo is cited by the New State Historic Preservation Office of doing an outstanding job of accessing the tax credits.<sup>39</sup> The city has created a "Preservation Ready" survey of buildings—most income producing—in a 348-page guide that includes information and photos of individual properties and their current or future status and likely ability to access historic tax credit program and the 10% rehabilitation tax credit for properties not deemed historic. The document also identifies properties potentially eligible for individual listing in the National Register and potential historic districts. This is an ambitious effort to document historic assets and is unique in the author's recent research into the six cities included in the independent study.

This aggressive effort is not matched on the residential side. Preservation Officer Chris Hawley believes that most homeowners are not aware of the residential tax credit.<sup>40</sup>

#### **Preservation Assets and Partners**

PUSH Buffalo (People Uniting for Sustainable Housing)

PUSH was founding in 2005 as a west side community-based group focused on housing equity. It first gained recognition from its campaign against a state housing agency that was selling residential mortgages to an investment firm. Protests led to a state agreement to provide rehabilitation funding. <sup>41</sup> Working with HomeFront Buffalo, PUSH's Green Development Zone (GDZ) received \$1.3M in renovations of six vacant houses on 19th Street and began building green affordable housing in a twenty

<sup>&</sup>lt;sup>39</sup> Beth Cumming, in discussion with author, February 16, 2017. Cumming works with the New York State SHPO.

<sup>&</sup>lt;sup>40</sup> Hawley interview.

<sup>&</sup>lt;sup>41</sup> "Block by Block Campaign," accessed April 14, 2017, at https://www.changemakers.com/sustainableurbanhousing/nominations and "Buffalo Neighborhood Stabilization Corporation (BNSC)," accessed April 14, 2017, at http://greendevelopmentzone.org/housing/bnsc/.

five-block area. GDZ and another branch of the organization, the Buffalo Neighborhood Stabilization Corporation (BNSC), build new green houses and apartments and acquires vacant buildings for redevelopment. The goal is to reduce rapid gentrification that displaces existing residents.<sup>42</sup>

PUSH focuses on the west side in a neighborhood built between 1880 and 1920 to house immigrants attracted to the area by nearby industry. The diversity of the neighborhood continues as new immigrant groups arrive. Still one of the poorest urban neighborhoods in the country with an average income of \$9,000, residents have engaged in activism for decades. In 1992, they established an urban



farm to address lack of access to locally grown food. The major street, Massachusetts Avenue, sits at the intersection of the Ellicot and Olmsted plans, creating streets that run at angles to each other, creating a village feel. <sup>43</sup>

Buffalo Urban Development Corporation (BUDC)

BUDC works to revitalize Buffalo's urban business district as well as distressed neighborhoods and industrial areas in other parts of the city. A recent report promoting progress in the central business district and a nearby industrial area notes a downtown workforce of 87,000 people, 1200 residential units added since 2006, and a goal to add 2,000 more by 2018. The report lists sites available for rehab, transportation options and amenities.<sup>44</sup>

<sup>42</sup> "Building Green and Affordable Housing," accessed April 1, 2017, at http://greendevelopmentzone.org/housing/.

<sup>&</sup>lt;sup>43</sup> "The Neighborhood," accessed April 14, 2017, at http://greendevelopmentzone.org/introduction/the-neighborhood/.

The organization is also spearheading redevelopment of the Northland Corridor; that effort seeks to address neighborhood housing deficiencies, stimulate small business growth, and rehabilitate derelict historic industrial sites as new business locations and a regional training center. The Western New York Workforce Training Center, with strong financial support from the state, will cost more than \$50 million; it will be located in the old Clearing Niagara building. Historic tax credits are expected to help offset some rehabilitation costs.

New York State

In his State of the State speech in January, 2012, Governor Andrew Cuomo pledged to invest \$1 billion in tax credits and grants to the Buffalo area. "The Buffalo Billion" is New York State's multipronged economic development investment strategy for the city of Buffalo and the nearby city of Niagara, in an effort to revitalize western New York. Broad categories include tourism, entrepreneurship, workforce development, health, and smart growth including transportation enhancements and revitalization of existing neighborhoods. The Northland Corridor project is one of the Buffalo Billion beneficiaries. <sup>47</sup>

Buffalo Erie Niagara Land Improvement Corporation (BENLIC)

BENLIC was established in 2014 to serve all of Erie County. Currently, the lank bank lists forty four properties in its inventory; ten are in the city of Buffalo. The website provides links for five of the entire list that provide detailed property information and photos.<sup>48</sup> The online information is very thin

<sup>44</sup> "Downtown Buffalo, NY 2016 Development Guide," Buffalo Urban Development Corporation, accessed April 10, 2017, at http://www.buffalourbandevelopment.com/documents/Downtown/2016\_Downtown\_Buffalo\_Development\_Guide.pdf.

<sup>&</sup>lt;sup>45</sup> "Northland Corridor Public Outreach," accessed April 14, 2017, at http://www.buffalourbandevelopment.com/northland-corridor-public-outreach.

<sup>&</sup>lt;sup>46</sup> "Editorial: Northland Corridor Wins Key Funding as Work on the Project Is About to Begin," *The Buffalo News*, February 7, 2017, accessed April 14, 2017, at http://buffalonews.com/2017/02/07/editorial-northland-corridor-wins-key-funding-work-project-begin/.

<sup>&</sup>lt;sup>47</sup> "Buffalo Billion," accessed April 28, 2017, at https://buffalobillion.ny.gov/about-buffalo-billion.

<sup>&</sup>lt;sup>48</sup> "Property Currently for Sale," accessed April 29, 2017, at http://www.benlic.org/properties.

compared to land banks serving cities like Syracuse, New York, or Dayton, Ohio. To increase its ability to transfer lank bank owned properties more quickly, BENLIC recently announced new procedures. It will sell houses "as is," requiring new owners to complete the required work within one year prior to receipt of a clear title. The Foreclosure Relief Act of 2016 has strengthened its capability to act. 49

#### **Summary**

In 2016, Buffalo is something of a "Tale of Two Cities." Its booming west side, pictured in a video love song by filmmaker John Paget celebrating its architectural heritage and sense of place<sup>50</sup> contrasts sharply with a still mostly derelict and struggling east side. It would appear that current city regulations directed at controlling poor housing conditions, undesirable landlords, and blight have few teeth; however, the 2016 Foreclosure Relief Act will allow intervention to better direct outcomes for tax delinquent properties.

The most significant step forward is the adoption of Buffalo's Green Code. The mixed-use nature of old heritage neighborhoods will again be permitted. The elimination of myriad urban renewal plans of the single Homestead plan clearly supports single family ownership for its many vacant buildings and parcels, directing incentives toward areas of greatest need.

<sup>&</sup>lt;sup>49</sup> Joseph Popiolkowski, "'Zombie' Brought Back to Life in Kenmore," *Buffalo News*, March 14, 2017, accessed April 29, 2017, at http://buffalonews.com/2017/03/14/zombie-brought-back-life-kenmore/.

<sup>&</sup>lt;sup>50</sup> "Buffalo: America's Best Designed City," video, accessed April 10, 2017, at https://www.youtube.com/watch?v=sBsi5FGbY2Y.

## Dayton, Ohio

#### Overview

"The City of a Thousand Factories," <sup>51</sup> as Dayton was once labeled, is the sixth largest city in Ohio. Founding in 1796, it is the county seat of Montgomery County and is located in the Miami Valley region, named for the largest river bisecting it. While being most famous as the birthplace of American aviation, it is also where the cash register, the automobile self-starter and electric wheelchair were invented. Perhaps its best known manufacturing company was the National Cash Register Corporation who introduced not just the cash register but also the first automated credit systems; NCR employees even helped invent a machine that broke the Nazi Enigma coding system. At the century, Dayton had more patents, per capita, than any U.S. city. The city and its surrounding communities have been identified as the equivalent of a late 19<sup>th</sup> and early 20<sup>th</sup> century Silicon Valley, close to many transportation routes and bringing together manufacturing capability, capital, collaboration and ideas that helped breed invention. <sup>52</sup>

Its population peaked in 1960. With the decline in manufacturing and the automobile industry, population and the number of available jobs fell precipitously in the next fifty years. During the 1970s, the city lost 46 percent of its manufacturing positions.<sup>53</sup> Between 2000 and 2010, it lost 24,000 people,

<sup>&</sup>lt;sup>51</sup> Christine Negroni, "Pitching in to Preserve Aviation History," *The New York Times*, December 13, 2016, accessed April 20, 2017, at https://www.nytimes.com/2016/12/13/realestate/commercial/pitching-in-to-preserve-aviation-history.html?\_r=0.

<sup>&</sup>lt;sup>52</sup> "About Carillion Park," accessed April 24, 2017, at https://www.daytonhistory.org/about-us/ and Lewis Wallace, "Why Did Dayton Produce So Many Inventors and Inventions? WYSO Curious Pops Open an Answer," August 1, 2014, accessed April 24, 2017, at http://wyso.org/post/why-did-dayton-produce-so-many-inventors-and-inventions-wyso-curious-pops-open-answer and Krissy Clark, "America's Forgotten Forerunner to Silicon Valley," March 20, 2014, accessed April 24, 2017 at http://www.bbc.com/news/business-31989802 and "NCR Leaves Dayton," accessed April 24, 2017, at https://circa71.wordpress.com/2009/06/02/ncr-leaves-dayton/.

<sup>53 &</sup>quot;Regenerating America's Legacy Cities," 4.

General Motors and GM supplier plants, and its legacy company, the National Cash Register

Corporation.<sup>54</sup> In 2010, its declining population dropped below its 1920 figure.<sup>55</sup> A high percentage—

35.5% -- of those remaining residents live below the poverty level and 52.3% rent their homes.<sup>56</sup>

Loss of population exacerbated an overabundance of vacant and abandoned housing within its fifty-six-and-a-half square mile area.<sup>57</sup> In 2010, the vacancy rate stood at 22.8%. In 2013, the city estimated there were 7,000 abandoned houses; a 2016 presentation to the Landmark Commission set the estimate at 10,000 vacant residences and 4,000-5,000 vacant commercial and industrial buildings.<sup>58</sup> A rigorous demolition program is underway.

Despite its challenges, Dayton is a city with robust historic assets and strong institutional partners working to reinvent the downtown area and neighborhoods across the city. In some cases, that means reaching back to its historic industrial roots for inspiration.

#### **Historic Infrastructure**

Dayton has twenty historic districts and eighty-three individual landmarks listed in the National Register. Of these, thirteen districts and fifty-eight individual landmarks have local zoning protection.

<sup>&</sup>lt;sup>54</sup> Population.us, "Population of Dayton, OH," and Dan Barry, "In a Company's Hometown, the Emptiness Echoes," *The New York Times*, January 24, 2010, accessed April 24, 2017, at http://www.nytimes.com/2010/01/25/us/25land.html and Jim Kavanagh, "GM Plant's Closing Like Death Knell in Dayton," *CNN*, December 1, 2008, accessed April 24, 2017, at http://www.cnn.com/2008/US/11/19/ohio.plant.closing/index.html?\_s=PM:US#cnnSTCOther1.

<sup>&</sup>lt;sup>55</sup> The city's 2010 population was greater than it was in 1910 (116,577) and less than it was in 1920 (152,559). Population.us, "Population of Dayton, OH."

<sup>&</sup>lt;sup>56</sup> United States Census, Dayton city, Ohio, "Individuals below Poverty Level," 2011-2015 American Community Survey 5-Year Estimates, American Factfinder, accessed April 20, 2017, at https://factfinder.census.gov/faces/nav/jsf/pages/community\_facts.xhtml# and "Selected Housing Characteristics 2011-2015 American Community Survey 5-Year Estimates."

<sup>&</sup>lt;sup>57</sup> Population.us, "Population of Dayton, OH."

<sup>&</sup>lt;sup>58</sup> Alex Heckman, in discussion with author, April 27, 2017. Heckman is Director of Dir of Education and Museum Operations for Dayton History and a member of the Dayton Landmarks Commission.

Mapping for these assets is available on the city's website. Options for the districts include interactive and non-interactive maps. Clicking on individual districts on the map takes the user to another page with a short paragraph describing the particular



district. (Fig. 4) Historic landmarks are available on

a separate interactive map. Clicking on a particular landmark button opens a page with a photograph and address of the landmark. The maps are intuitive and easy to use. The city does not keep a list of registered properties, but estimates that there about 3,000 in the city.<sup>59</sup>

As is true for many cities, some historic districts are stronger than others. One of the city's oldest, the Oregon Historic District, is citing as being organized and "keeping the city on its toes." Historic districts and other neighborhoods are included in an online listing of eighty-nine resident-organized associations; the directory includes contact information and a monthly meeting schedule for all groups. 61

## **Historic Preservation Management**

Dayton's historic assets are governed by its Landmark Commission (LC). Section 150.345 of its zoning ordinance defines three different classifications of historic overlay districts and individual sites, listed or eligible for listing in the National Register, as well as properties the LC determines are historically significant. Taken as a whole, these are called the "Dayton Register of Historic Landmark"

<sup>&</sup>lt;sup>59</sup> Rachel Banowitz, in discussion with author, April 26, 2017. Banowitz is Dayton's Preservation Officer.

<sup>&</sup>lt;sup>60</sup> Banowitz interview.

<sup>&</sup>lt;sup>61</sup> "Neighborhood Associations," accessed April 15, 2017, at http://www.daytonohio.gov/202/Neighborhood-Associations.

Properties."<sup>62</sup> Listing a district for HD-1 or HD-2 overlay requires a petition signed by a majority of the property owners in the proposed area. HD-3 overlay areas may be nominated by the owner or a member of the LC. The nomination is submitted to the city's Plan Board for approval and then approved by city commission.<sup>63</sup>

The LC approves major modifications to designated buildings that range from exterior alterations to signage to changes to significant interior spaces that are open to the public and have received public funding. Approvals are based on a "Blueprint for Rehabilitation" guidebook published by the city and available on its website. It includes descriptions of various architectural styles and appropriate rehabilitation approaches. He guidebook is currently undergoing a review and update. The LC has given the city's Preservation Officer the power to approve routine changes such as windows and roofs. It also allows replacement of original windows with vinyl sashes; the new sashes must match the old in style and owners are limited to selected manufacturers. In certain instances, the LC will approve installation of glass block in basement windows. Leeway may also be given when owners are faced with expensive replacement options such as slate roofs. They may be required to present bids for both replacement and repair before alternative coverings are approved.

Demolitions requests for any property in the Dayton Register of Historic Landmark Properties require LC approval. Depending on the nature of the request, such requests must come with substantial documentation of the need for demolition. Should the LC find that the site is of importance, it can impose a waiting period while other solutions are explored. The owner must protect the building from

<sup>&</sup>lt;sup>62</sup> "Section 150.345 Historic Overlay Districts," Dayton, Ohio Zoning Code, Amended May 4, 2016, 233-248, accessed April 15, 2017, at http://www.daytonohio.gov/DocumentCenter/View/550.

<sup>63</sup> Ibid.

<sup>&</sup>lt;sup>64</sup> Ibid.

<sup>&</sup>lt;sup>65</sup> Banowitz interview.

deterioration during this time. No demolition approval is given without a mitigation plan for the site. The LC can also require a performance guarantee.<sup>66</sup>

Notwithstanding the preservation ordinance, the chief inspection officer has the right to demolish any building deemed dangerous without seeking permission to do so. This rarely happens in designated historic districts. Federal funding for its ongoing demolition program requires nuisance abatement officers to come before the LC when the action involves any designated building. Rarely are city requests made for demolition in local historic districts.<sup>67</sup>

Dayton's ordinance also provides for Urban Preservation Overlay Districts. The code recognizes these districts as locations with distinctive features such as architecture, street layout, massing, and setbacks; nominations may be brought by city staff or boards or by a petition signed by a majority of owners in the proposed area. A Preservation Review Committee reviews requests for major changes to exteriors.<sup>68</sup> The designation is similar in some ways to what some cities call conservation districts. In 2016, there are no properties or neighborhoods with this designation; the current preservation officer believes it may be old language that has remained in the ordinance.<sup>69</sup>

## **Governance: Issues Affecting Heritage Neighborhoods**

Vacant Property Registry

Dayton requires registration only of vacant properties in foreclosure or "real estate owned" (REO.) Registration costs \$250 for year one and \$50 a year thereafter. If the building has a working burglar and fire alarm system, the \$50 renewal fee is waived. Failure to register can result in civil

<sup>66 &</sup>quot;Section 150.345 Historic Overlay Districts."

<sup>&</sup>lt;sup>67</sup> Banowitz interview.

<sup>&</sup>lt;sup>68</sup> Section 150.355 Urban Preservation Overlay District," Dayton, Ohio Zoning Code, Amended August 1, 2006, 261-267, accessed April 15, 2017, at http://www.daytonohio.gov/DocumentCenter/View/550.

<sup>&</sup>lt;sup>69</sup> Banowitz interview. Banowitz believes the urban conservation district language is a holdover from an earlier version of the ordinance.

penalties of up to \$1,000 and a \$100 late fee. The registration requires information for both the mortgage company and the field servicer.<sup>70</sup>

Dayton has no registry for any other type of vacant building, nor does it require boarding of any building. The city ordinance does not include a demolition by neglect clause. Vacant and unsecured buildings can be declared public nuisance. Buildings cannot be reoccupied without written approval of housing inspector.

#### Demolition

Assisted by government funding, the city has aggressively been demolishing derelict properties since 2013. This process will be discussed in the "Montgomery County Land Reutilization Corporation (MCLBRC)" below. The city does not require that buildings be deconstructed rather than demolished. There are no public or private entities engaged in salvaging materials from these buildings.

## Code Enforcement

Dayton's housing inspectors, or conservation specialists, are responsible for reviewing property conditions to assure they meet code. Between 2001 and 2011, Dayton cut nearly 30 percent of its workforce from its payroll. What was a staff of thirty inspectors in the Housing Inspection division is now down to eleven, with three of those assigned to another division focused on demolition. Buildings are rated on a scale of 1 to 5, with 5 being worst condition. Conservation Specialist Tony Oppy estimates that 20-25% of the city's vacant buildings are rated as a 4 or a 5, conditions for which orders to repair or demolish are written. He estimates that the department writes 2,000 orders a year. To

<sup>&</sup>lt;sup>70</sup> "Register a Vacant Property," accessed April 15, 2017, at http://www.daytonohio.gov/219/Register-a-Vacant-Property.

<sup>&</sup>lt;sup>71</sup> Alan Mallach and Lavea Brachman, "Regenerating America's Legacy Cities," *Lincoln Institute of Land Policy*, 2016, 36. Accessed July 1, 2016, at http://ti.org/pdfs/LegacyCities.pdf.

<sup>&</sup>lt;sup>72</sup> Tony Oppy, in discussion with author, April 27, 2017. Oppy is a Conservation Specialist with the Dayton Housing Department.

Citations can carry both civil and criminal penalties. Owners are given several months to address issues and may receive an additional fine if the property requires re-inspection. Failure to address issues results in court adjudication which may add more time to permit compliance. Failure to act results in a \$500 fine or up to six months in jail. Properties with debris, uncut grass, or abandoned vehicles are typically cited only when a complaint is lodged or an inspector observes such a condition. These cases may also be taken to court.

## Rental Registry and Inspection

Ohio law requires that rental properties be registered with the county. Montgomery County does not perform inspections or enforce the registration program, leaving that task to cities.<sup>73</sup> There is no charge for registration. Despite the fact that 52.3% of housing in Dayton is renter occupied, 74 the only city rental properties that routinely trigger inspections are rooming houses in the neighborhoods around the University of Dayton, the only place in Dayton where new permits for this type of accommodation are allowed. There are rooming houses operating elsewhere in the city, but are grandfathered premises.

All other rental properties are inspected on a complaint basis only. Landlords are given time to address complaints; if issues are not addressed, inspectors can issue an order to repair. Inspectors must get departmental approval before ordering vacation of a building found in an extremely poor condition.<sup>75</sup>

73 "Rental Registration," accessed April 27, 2017, at

http://www.mcohio.org/government/elected\_officials/auditor/rental\_registration.php and conversation with county employee.

<sup>&</sup>lt;sup>74</sup> United States Census, Dayton city, Ohio, Selected Housing Characteristics 2011-2015 American Community Survey 5-Year Estimates, American Factfinder, accessed April 20, 2017, at https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF.

<sup>&</sup>lt;sup>75</sup> Oppy interview.

#### **Financial Incentives**

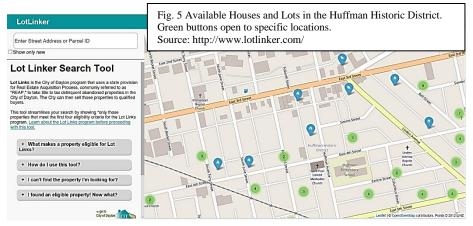
## Neighborhood Assistance Program

Dayton offers an income-restricted home buyer program for families making less than 80% of the area median income. Owners can receive up to 10% of the purchase price. The home must be in the city of Dayton and have a pre-existing value of at least \$105,000 or new construction value of \$195,000. Buyers must agree to live in the home for five years and contribute \$500 of owner funds to close. Loan programs ranging from \$50,000 to \$200,000 are available to qualifying small businesses.

#### REAP/Lot Links

State legislation allows cities to offer vacant tax delinquent properties through a Real Estate

Acquisition Program (REAP); in Dayton, the program is called "Lot Links;" an interactive map on the



city website denotes available buildings and lots by location and offers links to the county treasurer site listing liens and unpaid taxes.<sup>78</sup> (Fig. 5) Once an interested party registers for a property, the city begins a tax

foreclosure case with the county. The county removes back taxes; the prospective owner pays foreclosure costs of about \$2,500. The process can take up to twenty months.<sup>79</sup>

<sup>&</sup>lt;sup>76</sup> "Neighborhood Assistance Programs," accessed April 15, 2017, at http://www.daytonohio.gov/216/Neighborhood-Assistance-Programs.

<sup>&</sup>lt;sup>77</sup> "Small Business Support," accessed April 15, 2017, at http://www.daytonohio.gov/216/Neighborhood-Assistance-Programs.

<sup>&</sup>lt;sup>78</sup> "Lot Linker," accessed April 19, 2017, at http://www.lotlinker.com/.

<sup>&</sup>lt;sup>79</sup> "How Does it Work?" accessed April 19, 2017, at http://www.daytonohio.gov/Faq.aspx?QID=66.

#### **Preservation Assets and Partners**

The manufacturing muscle that fueled much of Dayton's prosperous past may have vanished from the scene, but the city continues to draw strength and support from strong business and institutional partners.

#### Downtown Revitalization

Citywide Development is a redevelopment group that has been active for over forty years. The organization began as a collaboration of government, neighborhoods and business as the city's manufacturing base declined. Its two-fold mission is addressing economic growth and enhancing the health of neighborhoods.

Citywide Development's downtown redevelopment effort includes Tech Town which hearkens back to Dayton's heritage of innovation, targeting high technology businesses and workers by offering a commercial and residential campus along the city's riverfront.<sup>80</sup>

The 2010 Greater Downtown Dayton plan engages a number of partners in revitalization of its historic central business district. 81 The most recent announcement centers on a new initiative to rehabilitate The Arcade, an iconic 400,000 square-foot collection of five buildings built 1901-1904 and featuring a variety of classical building styles. (Fig. 6) Earlier attempts had stalled, but commercial partners, using various tax credits and other incentives are proposing a mixed use development that includes residential, retail and office space. In April, 2017, the University of Dayton announced plans to sign on as an



Fig. 6 The Arcade Building, Dayton. By Photo by Greg Hume (Greg5030) - Own work, CC BY 3.0, https://commons.wikimedia.org/w/index.php?curid=5598709

<sup>80 &</sup>quot;Welcome to Tech Town," accessed April 20, 2017, at http://daytontechtown.com/.

<sup>81 &</sup>quot;Overview," accessed April 20, 2017, at http://plan.downtown-dayton.org/overview/.

anchor tenant should the new development plan go forward, opening offices and classrooms in the space.

Renovation of the Arcade has been an important goal within the overall downtown redevelopment strategy.<sup>82</sup>

Citywide Development in Neighborhoods

In line with its mission, Citywide partners in neighborhood revitalization. The Genesis Project began in 2000 in the Fairgrounds Neighborhood near Miami Valley Hospital and University of Dayton. It focused on rehabilitation of existing homes and construction of new ones, financing for business and overall enhancement of quality of life in one of the city's oldest neighborhoods. <sup>83</sup>

The Phoenix Project which began in 2004, focuses on stabilization and revitalization of four neighborhoods surrounding Good Samaritan Hospital with Citywide serving as project manager. The city and the hospital pledged \$7 million each and Citywide provided another \$1 million loan pool. An incentive program assists hospital employees in purchasing neighborhood homes and offers matching fund home improvement loans to existing homeowners. Blight is addressed through acquisition; homes are demolished or rehabbed and new houses were built. A summer recreation program and a new elementary school address the needs of youth.<sup>84</sup>

The DaVinci Project springs from a 2011 plan to revitalize neighborhoods and businesses in the Old North Dayton and McCook Field neighborhoods. Partners include Dayton Children's Hospital, the Salvation Army and the city of Dayton.<sup>85</sup>

<sup>&</sup>lt;sup>82</sup> Tristan Navera, "UD in the Arcade: Why it Makes Sense," *Dayton Business Journal*, April 7, 2017, accessed April 17, 2017, at http://www.bizjournals.com/dayton/news/2017/04/04/ud-in-the-arcade-why-it-makes-sense.html#i1.

<sup>&</sup>lt;sup>83</sup> "The Genesis Project," Accessed April 20, 2017, at http://citywidedev.com/community-development/genesis.

<sup>&</sup>lt;sup>84</sup> "The Phoenix Project," accessed April 20, 2017, at http://citywidedev.com/community-development/phoenix.

<sup>&</sup>lt;sup>85</sup> "DaVinci Collaborative," accessed April 20, 2017, at http://citywidedev.com/wp-content/uploads/2015/02/DaVinci-Winter-2015-Update.pdf.

## University of Dayton

In addition to its involvement in the Genesis Project and commitment to the downtown Arcade, the University of Dayton operates the Fitz Center for Leadership in Community. The Center is focused on building relationships between the students and faculty and urban neighborhoods. The center offers conferences on community building and promotes community engaged learning (CEL) that delivers benefit to urban Dayton.

National Park Service/Aviation Heritage National Park

Much of the Wright brothers' early work took place in the neighborhood now known as Wright-Dunbar Village, which was also home to poet Paul Laurence Dunbar, the first internationally renowned African-American poet and writer.<sup>86</sup>

The city has traditionally been racially divided; in 2002, the Dayton school system was the last in the state to be released from a desegregation order. White flight began in the 1970s when the city's school system was force to use busing to achieve racial balance. A 1966 riot on the west side that erupted following the shooting of a neighborhood resident shuttered businesses that never reopened; loss of jobs in the coming decades left the nearby neighborhood devastated.<sup>87</sup>

By the 1990s, Wright-Dunbar Village was severely deteriorated, and the city partnered with federal, state, and private entities to transform the area. Math teacher and county employee Jerry Sharkey is credited with the idea of establishing a park devoted to the city's aviation history.<sup>88</sup> The result was the

<sup>87</sup> Josh Sweigart, "Lasting Scars, Part 3: Once 'Vibrant,' West Side in Economic Distress," *Dayton Daily News*, August 30, 2016, accessed April 27, 2017, at http://www.mydaytondailynews.com/news/lasting-scars-part-once-vibrant-west-side-economic-distress/M5oO0P562F6au4727LnFGP/.

<sup>&</sup>lt;sup>86</sup> "Preserve America Community: Dayton, Ohio," accessed April 20, 2017, at http://www.preserveamerica.gov/PAcommunity-daytonOH.html.

<sup>&</sup>lt;sup>88</sup> Barrie Barber, "Advocate of Wright brothers Historical Sites Dies," *Dayton Daily News*, accessed April 27, 2017 at http://www.daytondailynews.com/news/advocate-wright-brothers-historical-sites-dies/gSs6i6WNeyRdgedLl9IHdI/.

Dayton Aviation Heritage National Historical Park, which provides a focal point for interpretation and tourism.<sup>89</sup> The city sold vacant homes for a dollar and developers built compatible infill housing.<sup>90</sup>

More recently, in another challenged west side neighborhood, factory buildings used by the Wright brothers for the commercial manufacturing of airplanes were purchased and will be occupied by the National Park Service. A public library will be built across the street. The still-evolving plans call for classrooms focused in STEM education and the hope is to stimulate redevelopment of the surrounding residential area.<sup>91</sup>

Montgomery County Land Reutilization Corporation (MCLBRC)

Ohio passed 2008 laws that permitted formation of land banks; in 2010, the state approved creation of the MCLBRC. Ohio land banks receive recurring funding of up to 5% of delinquent tax payments to their county. Ohio law lets these entities take title to properties with more than two years of delinquent taxes, fines, fees, or unabated code violations; to clear titles by eliminating liens, including the ability to extinguish mortgages; to intercede if a likely buyer is deemed a speculator; and to revitalize communities by property demolition, stabilization, rehabilitation or transfer. Individuals may also donate properties to the land bank. 92 MCLBRC has also worked as the custodian for large commercial buildings in downtown Dayton. 93

<sup>&</sup>lt;sup>89</sup> "Dayton Aviation Heritage National Historical Park Ohio," accessed April 7, 2017, at https://www.nps.gov/daav/index.htm.

<sup>90 &</sup>quot;Preserve America Community."

<sup>&</sup>lt;sup>91</sup> Christine Negroni, "A Bid to Save US Aviation History," *Herald-Tribune*, January 9, 2017, accessed April 24, 2017, at http://www.heraldtribune.com/news/20170109/bid-to-save-us-aviation-history.

<sup>&</sup>lt;sup>92</sup> "Taking Stock of Ohio County Land Banks," *Greater Ohio Policy Center, May, 2015*, i and 1, accessed April 28, 2017, at http://greaterohio.org/files/policy-research/greaterohiolandbankreport5-15-15.pdf.

<sup>&</sup>lt;sup>93</sup> Mike Grauwelman, in discussion with author, April 17, 2017. Grauwelman is the MCLBRC Director.

Much of state and federal funding has focused on demolition rather than stabilization, which can be detriment to heritage neighborhoods.<sup>94</sup> Demolition costs are typically lower than rehabilitation costs.<sup>95</sup>

To date, MCLBRC has been awarded almost \$18 million in additional funding for demolition.

Using the most recent pool of funding MCLBRC has a demolition goal of 1100 properties; 75-80% of those are in Dayton.<sup>96</sup>

Because Dayton staff has experience with demolition, MCLBRC entered into an agreement with the city to manage these actions for the entire county. The strategy is to target properties in "tipping point" neighborhoods, areas where removal of a few derelict properties might offer a boost to the remaining homeowners. While streetscape continuity can be lost, blight is eliminated. MCLBRC offers an acquisition program similar to Lot Links for tax delinquent properties outside Dayton.<sup>97</sup>

Dayton History

Dayton History operates the Carillon Historical Park which includes displays, historic buildings moved on site, an archive, and events relating to Dayton's history. The park is named for the Deeds Carillion, the largest in the state and donated to the city in 1942.<sup>98</sup>

#### **Summary**

Although the first decade of the 21st century brought dramatic population and job loss, new firms are opting to locate plants in the Miami Valley and most are clustered in Montgomery County. Several are foreign companies. In 2014, in a move believed to be the largest Chinese automotive supplier investment

 $^{95}$  Average demo costs are \$6,500 to \$12,000 per house while rehabilitation averages \$40,000. Taking Stock," 9.

<sup>94 &</sup>quot;Taking Stock, 9.

<sup>&</sup>lt;sup>96</sup> Grauwelman interview.

<sup>97 &</sup>quot;GoGetProperties," accessed April 15, 2017, at http://www.gogetproperties.com/.

<sup>&</sup>lt;sup>98</sup> Home/Learn/The History of Dayton History," accessed April 15, 2017, at https://www.daytonhistory.org/learn/the-history-of-dayton/.

in the United States, Fuyao Glass Industry, announced plans to purchase space in the shuttered GM plant in Moraine, a community south of Dayton, to produce windshields for the automobile industry. An initial 1,000 jobs two years ago have grown to 2,000; the factory is the world's largest auto glass manufacturer. Since then, six more auto-related manufacturers are open or in the process of doing so. <sup>99</sup> Through strategic investment in developments like Tech Town, Dayton is trading on its past as a center for innovation. Its major university as well as area hospitals appear to be strong institutional partners who understand the value of investment in the neighborhoods surrounding them.

The city's aggressive demolition goals could harm heritage neighborhoods if there is no plan for what is to follow. With so many vacant properties and over half its population renting their homes, the more stringent code language and enforcement might enhance those choosing to make Dayton their home.

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<sup>&</sup>lt;sup>99</sup> The reporter quotes statistics from JobsOhio. Thomas Gnau, "Fuyao Bringing 800 Jobs to Former GM Plant," *Dayton Daily News*, January 10, 2010, accessed April 24, 2017, at http://www.daytondailynews.com/business/fuyao-bringing-800-jobs-former-plant/0DHdgC9lQIwx6gz1HQ3D2N/ and Tristan Navera, "Manufacturing Roars in Dayton Region, But Will it Last?" *Dayton Business Journal*, April 14, 2017, accessed April 24, 2017, at http://www.bizjournals.com/dayton/news/2017/04/14/cover-story-manufacturing-roars-in-dayton-region.html, and Thomas Gnau, "Fuyao Showing the Way," *Dayton Daily News*, April 10, 2017, accessed at http://www.daytondailynews.com/business/fuyao-showing-the-way/fdysWFUanXGL2aNHKhlarL/.

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