

CITY OF NIAGARA FALLS, NEW YORK

TO: City Council
FROM: Community Development Department
DATE: November 21, 2018

**RE: Designation of a Niagara Falls Community Development Area under
24 CFR 570.208(b)(1) for Community Development Block Grant Activities**

Title 24 of the Code of Federal Regulations, 570.208(b) allows for the use of CDBG funds to address areas that meet certain specified criteria as follows:

“An activity will be considered to address prevention or elimination of slums or blight in an area if:

- (i) The area, delineated by the recipient, meets a definition of a slum, blighted, deteriorated or deteriorating area under State or local law;
- (ii) The area also meets the conditions in either paragraph (A) or (B):
 - (A) At least 25 percent of properties throughout the area experience one or more of the following conditions:
 - (1) Physical deterioration of buildings or improvements;
 - (2) Abandonment of properties;
 - (3) Chronic high occupancy turnover rates or chronic high vacancy rates in commercial or industrial buildings;
 - (4) Significant declines in property values or abnormally low property values relative to other areas in the community; or
 - (5) Known or suspected environmental contamination.
 - (B) The public improvements throughout the area are in a general state of deterioration”

The Community Development Department is seeking approval of a designation by the City Council of an area of the city that meets the conditions outlined above as the **“Niagara Falls Community Development Area.”** This designation would allow for the delivery of CDBG-funded activities that prevent or eliminate factors that cause neighborhood deterioration.

The geographic boundary of the proposed Niagara Falls Community Development Area is comprised of the following Census Block Groups, whose boundaries have been defined by the 2010 U.S. Census, contained within the City of Niagara Falls, New York:

- Census Tract 202, Block Groups 1, 2, and 3;
- Census Tract 204, Block Group 2;
- Census Tract 205, Block Groups 1 and 2;
- Census Tract 206, Block Groups 1 and 2;
- Census Tract 207, Block Groups 3 and 4;
- Census Tract 209, Block Groups 1, 2, and 3;
- Census Tract 210, Block Groups 3 and 4;
- Census Tract 211, Block Group 2;
- Census Tract 212, Block Groups 1, 2, 3, and 4;
- Census Tract 213, Block Groups 1 and 2;
- Census Tract 214, Block Group 3;
- Census Tract 217, Block Groups 1, 2, and 5;
- Census Tract 220, Block Groups 2 and 3.

This area is delineated on the map attached in the supporting documents for this Council agenda item.

The following factors demonstrate that the area described above meets the criteria specified in Title 24 of the Code of Federal Regulations, 570.208(b):

1. The New York State General Municipal Law Article 18-C, S-970-c defines "Blighted area" as an area within a municipality in which one or more of the following conditions exist: (i) a predominance of buildings and structures which are deteriorated or unfit or unsafe for use or occupancy; or (ii) a predominance of economically unproductive lands, buildings or structures, the redevelopment of which is needed to prevent further deterioration which would jeopardize the economic well-being of the people."
2. The vacancy rate estimate in the proposed Community Development Area, provided by the U.S. Census Bureau 2016 American Community Survey, is 27.45%.
3. The proposed Niagara Falls Community Development Area contains or immediately borders numerous known sites containing environmental contaminants, including the Hooker S Area Superfund site on Buffalo Avenue, and the Olin Corporation Hazardous Waste Cleanup site at 2400 Buffalo Avenue, the Frontier Chemical Waste Process Incorporated Royal Avenue Hazardous Waste Cleanup Site at Royal Avenue and 47th Street.
4. This area has experienced chronic deterioration, documented through the observation that nearly a third (3,182 properties out of 10,357 properties or approximately 31%) of all buildings in this area were cited by the Niagara Falls Department of Code Enforcement for one or more code violations in the five-year period from January 1, 2012 to December 31, 2017.

Will the Council vote to approve to designate the proposed Niagara Falls Community Development Area as meeting the standards prescribed in Title 24 of the Code of Federal Regulations, 570.208(b)(1)(i) for a period of 10 years from the date of this item's approval?

Respectfully submitted,

Paul A. Dyster, Mayor

Nicholas Melson, City Administrator

Seth A. Piccirillo
Director of Community Development

Kennedy _____ Scott _____ Tompkins _____ Voccio _____ Touma _____