

VACANT LANDS

INTRODUCTION

Rochester's population losses over the last several decades, like so many other "Rust Belt" cities, left a legacy of vacancy that is one of our greatest urban challenges. A rigorous demolition program, along with City Hall's home sale programming, is steadily addressing the issue of vacant homes. However, while demolishing vacant dilapidated buildings is a necessary and beneficial process, the City's demolition program leaves behind hundreds of vacant lots scattered throughout Rochester. Programming the future of these vacant lots is the subject of this section of *Rochester 2034*.

KEY TAKEAWAYS

- Half of the vacant parcels in Rochester are owned by the City
- All city-owned vacant lots are maintained at a "clean and green" standard, which exceeds what many cities have in place.
- The City should become more strategic in how it plans for and disposes of city-owned vacant land, taking guidance from the recommendations of the 2018 Citywide Housing Market Study.
- Until redevelopment is feasible, vacant land may present opportunities for creative, community-oriented interim uses (gardens, play spaces, art or beautification projects).



VACANT LAND IN THE CITY OF ROCHESTER

Rochester's aging housing stock, combined with the nearly 70-year decline in population, creates today's challenge of managing an inventory of vacancy that impairs neighborhoods around the city. Over the years, the number of vacated buildings has grown, many with only one option – demolition. The expense of demolition, which includes

costly environmental abatement and technical expertise, contributes to Rochester's inventory of structures needing demolition. During the last decade, however, the City of Rochester committed substantial resources to tackling the challenges of vacant buildings, and recently that effort has been ramped up. Annually, the City is demolishing about 100 vacant structures that are persistently blighting a neighborhood or are structurally unstable.

PUBLIC COMMENT

“Find more beautiful options, seek opportunities for vacant lot maintenance to be a workforce development/training strategy, develop some innovative interim or perhaps long term uses that involve urban agriculture, renewable fuel production, or other innovative creative emerging opportunities.”

B. VACANT LANDS (CONTINUED)

VACANT LAND IN THE CITY OF ROCHESTER CONTINUED

The cost of demolishing one structure is approximately \$20,000, which generally includes asbestos and lead surveys and abatement, demolition, debris disposal, and re-grading and seeding the site. The basement structure is crushed into pieces of no more than two feet and placed in the bottom 1/3 of the basement hole and the basement slab is cracked to allow for drainage. The remainder of the hole is then backfilled with visually-inspected soil. The site is left graded and seeded. With this demolition method, the cost to build a new structure on these vacant lots is higher because the residual subsurface debris must be removed before new construction can begin. If, instead, the

basement materials of the preexisting structure were removed from the site and the hole backfilled with clean soil, redevelopment could be expedited. The following two alternatives, while adding to demolition expenses, would reduce redevelopment costs:

- Remove basement and backfill with clean, virgin fill (\$12,000+ additional costs)
- Remove basement and backfill with clean tested fill (\$15,000+ additional costs)

In 2018, the City implemented a strategy of performing the first above listed option for demolitions in targeted housing development areas. According to city records, there are approximately 5,000 vacant parcels across all land uses. Over 2,500 of these vacant parcels are city owned, and of that, nearly 90% are in a residential zoning district.

An interactive map of City-owned vacant land can be found [here](#).



COSTS OF MAINTAINING VACANT LAND

While removing dilapidated structures is clearly a priority for the City and its residents, the remaining vacant lots present their own challenges. Rochester is committed to a minimum standard of maintaining vacant lots as graded, seeded, and mowed, while also protecting them with a perimeter of bollards to avoid illegal dumping on the lot. Rochester’s “clean and green” maintenance standards exceed the standards of many other cities. The annual cost of maintaining City-owned

vacant lots is approximately \$650,000, or \$260 per lot, which includes the physical maintenance of the lots but does not include the cost of City staff monitoring the condition of the vacant lots to ensure they meet minimum standards. In addition to being costly to maintain, vacant lots are not contributing to the tax base and can leave a neighborhood feeling a sense of abandonment and isolation.



B. VACANT LANDS (CONTINUED)

CURRENT DISPOSITION PRACTICES FOR VACANT CITY-OWNED PARCELS



SALE TO ADJACENT PROPERTY OWNERS FOR SIDE YARDS

Currently, if a property is deemed “unbuildable” generally due to its size, terrain, or irregular shape, it is offered to adjoining property owners for \$1.00, plus recording fees. The purchaser(s) is required to combine the lot with their own lot.



REQUEST FOR PROPOSAL SALE

A vacant lot that is of a size that is deemed “buildable”, often resulting from the City combining contiguous parcels, is appraised for its value for potential reuse. Then, the City’s Real Estate Office prepares and distributes a Request for Proposals wherein interested parties are requested to submit a concept plan and proof of financial capacity to the City for a chance to purchase the property at the appraised value. The Real Estate Office may also offer lots to adjacent property owners for appraised value. Currently, a garden use would not be the subject of a Request for Proposals because it would be facilitated through a seasonal garden permit.



GARDEN PERMIT PROGRAM

The City of Rochester offers seasonal permits for gardeners who want to build and maintain seasonal gardens on City-owned vacant lots. As of 2018, the City processes approximately 80 garden permits each year. Gardeners who wish to use the lot for multiple years must get a new permit every year.

In late 2018, Mayor Warren announced that the City will begin issuing five-year permits in 2019 for established community gardens. Until this announcement, the city issued permits for community gardens on vacant, City-owned properties for one growing season at a time. Under the new policy, if a not-for-profit organization has held a permit for three years and the City has not received any complaints about the organization’s garden, then it will qualify for the new five-year permit.



LEASE/LICENSE AGREEMENTS

The City also uses standard license agreements or leases to facilitate the use of City-owned land for uses that are longer than short-term temporary uses. These agreements are a good tool for longer term arrangements with provisions for management and maintenance requirements, allowing the City to retain some control.



PUBLIC COMMENT

“Create policies that directly allow entrepreneurs to make use of vacant space for urban agriculture.”

B. VACANT LANDS (CONTINUED)

NEW APPROACHES TO REPURPOSING VACANT LOTS

The City seeks to have no unproductive vacant land by 2034. While this is essentially the same objective under which the City is currently operating, *Rochester 2034* aims to guide the City's land disposition decisions so we invest strategically and in a way that makes the use of land sustainable. Although urban vacant land is often viewed negatively, Rochester intends to change that view to one of optimism and hope by offering alternatives so that vacant lots can be viewed as opportunity sites. The following list offers options for the repurposing vacant lots citywide.

VACANT LOT DISPOSITION IN ACCORDANCE WITH 2018 CITYWIDE HOUSING MARKET STUDY

Decisions around repurposing vacant land should rely on the findings and strategies outlined in the City of Rochester [2018 Citywide Housing Market Study](#). Guided by the Study, the options for highest and best use of vacant land are listed below by market type:

- **Strongest Demand Housing Market (Type 1.00-1.33).**
Vacant land in this market must be made available for new residential and mixed-use development. Land should be reused as housing with an eye toward ensuring that new housing development includes dwelling units that are affordable to residents of varying income levels.
- **Middle Demand Housing Market (Type 1.66-2.33).**
Vacant land in this market should be oriented specifically to encourage and support home ownership. Where vacant land, smaller than 4,000 square feet, can bolster a smaller-than-average owner-occupied lot, the side-yard disposition program should be applied. Otherwise, to the extent practicable, City-owned vacant lots should be strategically made available for infill owner occupant development such as Habitat for Humanity projects, City Roots Community Land Trust projects, rent-to-own projects, owner-occupant private development, etc.
- **Lowest Demand Housing Market (Type 2.66-3.00).**
Acquiring vacant land in this market should continue to be the City's practice. Vacant land should be held by the City for the purpose of assembling land for development opportunities that include energy production, food production, job formation, workforce development, and construction of medical facilities and consumer services. Building community capacity and fostering interest in community gardens should be a programming priority in the City in this market type. See [Initiative Area 4-Section D, Urban Agriculture and Community Gardens](#) for more information.

NEW APPROACHES TO REPURPOSING VACANT LOTS CONTINUED

VACANT LOTS ALONG TRANSIT CORRIDORS

Vacant lots present an opportunity to support the initiative of promoting transit through land use. See [Appendix E: 2018 Transit-Supportive Corridors Study](#) for more information on Rochester’s transit corridors. Small vacant lots along transit corridors should be prioritized for use as enhanced bus stops or transit hubs with bike racks; locations for public art; and/or, installation of public information kiosks. This should be a consideration city-wide along transit routes. Larger vacant lots or clusters of lots along transit corridors should be viewed as opportunity sites for high-density residential and mixed-use development.

COMMUNITY SOLAR

Many households and businesses do not currently have access to solar because they rent, live in multi-tenant buildings, have roofs that are unable to host a solar system installation, or cannot afford the capital costs to install solar. Community solar offers homeowners, renters, and businesses access to the economic and environmental benefits of solar energy generation regardless of the physical attributes or ownership of their home or business.

Community solar refers to large local solar facilities, owned and operated by solar developers that community members may join. Community solar subscribers receive credit on their electricity bills for their share of the solar power produced and generally receive a separate bill from the solar provider for the solar power purchased. The solar power is purchased for a lower amount than the credit received, providing a cost savings to the subscriber. This model for access to solar energy is being rapidly adopted nationwide. While most community solar developments are constructed on large multi-acre parcels of land in rural or suburban areas around the city, surplus vacant land in the city could lend itself to installing community

solar facilities, which could be marketed by the developers to the surrounding neighborhood, providing residents with lower electricity costs. The New York State Energy Research and Development Authority (NYSERDA) maintains a [listing of community solar developments on its website](#). Note that customers do not have to reside in the municipality where the solar field is located to subscribe, but the solar developer must be contacted directly to inquire about signing up.

NYSERDA also offers a [“Solar for All” community solar program](#) designed specifically for low and moderate income residents. This program provides solar credits on the participant’s utility bill, with no additional cost to the participant (e.g. no separate bill from the solar developer for the power). Solar projects under this program are currently being planned for the Rochester region.

Community solar expands access to solar for all, in particular, low-to-moderate income customers most impacted by a lack of access, all while building a stronger and more resilient electric grid.

Both the public and private sector have been involved in installing solar facilities within the City of Rochester. For more information on community solar as an energy alternative, see [Appendix I: Rochester Climate Action Plan](#).

PUBLIC COMMENT
“Solar panels in vacant lots!”

B. VACANT LANDS (CONTINUED)

NEW APPROACHES TO REPURPOSING VACANT LOTS CONTINUED

GATHERING AREAS, PUBLIC ART, PLAYABLE SPACES

With approval from the City of Rochester, City-owned vacant lots can serve as gathering spaces for a neighborhood, with amenities such as a community bulletin board, gazebo, pavilion, or stage. They can also be more elaborate, by acting as a location for food trucks, concerts, and festivals. Activities such as installing a sculpture or painting a wall adjacent to a lot is aesthetically pleasing with generally low-controversy and can encourage residents, youths, and students in the neighborhood to gather. A community can work together at creating public art projects to beautify a vacant lot in their community.

Creating a play space is a creative option for enlivening a vacant lot. Play is essential to children and young people's physical, social and cognitive development. Outdoor play is particularly valuable as it provides unique opportunities to experience the natural environment, providing a sense of well-being and enjoyment that being outdoors can bring. Seeing and hearing playing children is important to a vital community. In 2007, the American Academy of Pediatrics reported that play is essential to the cognitive, physical, social, and emotional well-being of children and youth.

HEALTHY KIDS COALITION

The Healthi Kids Coalition, an initiative of Common Ground Health, boast the "Our Play ROCs" campaign, advocating for safer, more accessible play spaces in neighborhoods to make sure every child is able to play for at least 60 minutes, 365 days of the year. "PlayROCs Your Neighborhood" works with community groups to host pop-up play spaces at various locations throughout the City. The City should continue to partner with Healthi Kids on policy development, municipal projects, and grass-roots projects.

PUBLIC COMMENT

"Vacant lots would be great spaces for neighborhoods to organize events like pop-up event spaces such as food truck rodeos, craft fairs, car wash fundraisers, CSA drop off sites or weekly farmers markets."



PUBLIC COMMENT

"Turn vacant lots into community green space such as gardens, tree landscapes, rock formations, community art and music space for expression through performance. Give all Rochester people healthy quality city living."

B. VACANT LANDS (CONTINUED)

NEW APPROACHES TO REPURPOSING VACANT LOTS CONTINUED

COMMUNITY GARDENS AND URBAN AGRICULTURE

The practice of using vacant lots for community gardens and, on a larger scale, urban agriculture is common in urban settings and is certainly happening in Rochester. Community gardens provide an opportunity for a community to work together to produce fresh food and/or flowers while beautifying their neighborhood. For a complete discussion of this topic, see [Initiative Area 4-Section D, Urban Agriculture and Community Gardens](#).

CLIMATE BUFFERS

Climate buffers are natural areas specially designed to reduce the consequences of climate change. In Rochester, this could translate into vacant lots being used to catch stormwater runoff and filter water in flood-prone areas during times of intense precipitation. Green infrastructure, such as rain gardens, strategically placed in areas of flooding could serve to relieve flooded streets or sidewalks if designed for such a role. It also could include pollinator gardens and pollinator paths which support biodiversity and stabilize ecosystems against climate change.



PLANNING FOR THE HIGHEST + BEST USE OF VACANT LOTS

Enlivening a vacant lot is good for a neighborhood, but it may ultimately be in the best interest of the neighborhood and City if the lot is developed with a building in the future, as the market evolves. The determination of the highest and best use of vacant lots must take into consideration many different and sometimes competing factors, including the market, neighborhood goals, physical site conditions, neighboring uses, and location. Neighborhood engagement in decision making is prudent and encouraged. Actual development proposals are subject to review under the Building and Zoning Codes, where regulatory requirements, including community notification, are already built in.



CITY-OWNED VACANT LAND IN ROCHESTER

“An Inquiry into City-owned Vacant Land in the City of Rochester, NY” (June 2018), a report summarizing 18 months of research carried out by RIT students, faculty, and staff reveals and analyzes issues and opportunities associated with City-owned vacant land in Rochester. Collaboration with the community was an important component of this research process. Key findings include:

- Gardening is not the only re-use of vacant land residents value; alternatives include community gathering spaces, public art spaces, children’s play spaces, orchards and wood lots
- Re-use of vacant lots enhances residents’ sense of place, social well-being, and attachment to their neighborhood
- Residents place a high value on access for children to outdoor spaces and nature
- Residents involved in community gardens, both food and flower gardens, value the social interactions associated with working with their neighbors on gardening activities;
- Growing food for food pantries, soup kitchens, and other similar organizations is highly valued by the gardeners
- Gardeners value the sharing that takes place, including sharing knowledge of gardening techniques, sharing seeds and plants, and sharing the food that is grown
- Community gardens provide educational opportunities that may not have otherwise been available - learning how to grow your own food, learning how to prepare foods grown, learning more about neighbors
- Residents strongly value the assistance they receive from local organizations such as the City of Rochester horticulturalist, Cornell Cooperative Extension, and Common Ground Health’s Healthi Kids Initiative
- Maintaining resident involvement is an issue for the regular and longer-term gardeners
- Residents are frustrated with current City policies involving the re-use of City-owned vacant land.

B. VACANT LANDS [VNT]

ACTION PLAN

GOAL	STRATEGIES	PARTNERS
VNT-1 Strategically position vacant sites for redevelopment.	VNT-1a Prepare a citywide vacant land management strategy.	City
	VNT-1b Work with developers on how to improve City demolition practices and real estate policies to make development on vacant lots more cost effective.	City, Developers
	VNT-1c Allocate additional funds to broaden the City's clean demolition initiative. Confer with regulatory agencies to determine the appropriate backfill soil quality for the anticipated or known redevelopment.	City
	VNT-1d Inventory the vacant lots identified as 1.00-1.33 in the 2018 Citywide Housing Market Study and identify: 1. lots that should be provided to housing partners for new house construction for home ownership, and 2. lots that would together be the subject of a Request for Proposals to generate interest in getting them redeveloped with housing for all income levels.	City, Land Bank, Housing Organizations
	VNT-1e Inventory the vacant lots identified as 1.66-2.33 in the 2018 Citywide Housing Market Study and identify: 1. lots that should be provided to housing partners for new house construction for home ownership, 2. lots that would together be the subject of a Request for Proposals to generate interest in getting them redeveloped, and 3. lots that should be set aside for public uses such as public art or transit hubs.	City, Land Bank, Housing Organizations

Notes:

1. Partners listed in bold are recommended to lead the implementation of that strategy.
2. For a list of partner acronyms see [Appendix A](#).

GOAL	STRATEGIES	PARTNERS
VNT-1 Strategically position vacant sites for redevelopment.	VNT-1f Inventory the vacant lots identified as 2.66-3.00 in the 2018 Citywide Housing Market Study and identify: 1. lots that should be offered to adjacent property owners for side yard additions, 2. lots that should be set aside for public/community uses or activities, 3. lots that may be aggregated and included in a request for proposals for community solar field installations or other green energy installations, and 4. Hold lots that would together be the subject of a Request for Proposals to generate interest in getting them redeveloped for economic development projects.	City
	VNT-1g Based on an inventory (see strategies VNT-1d, VNT-1e, and VNT-1f) for lots that should be repurposed for construction of new homes for home ownership, prepare a Request for Proposals for the lots along with a promotional campaign to foster interest in the lots. This campaign should include pro formas for new homes (both singles and doubles) and quality of life information along with strategic promotional activities and events to foster interest in the lots and city living.	City
	VNT-1h Prepare targeted small-area plans to get more specific strategies for vacant land.	City

B. VACANT LANDS [VNT]

ACTION PLAN

GOAL	STRATEGIES	PARTNERS
<p>VNT-2 Turn vacant lots in areas of low housing market demand into vibrant community spaces.</p>	<p>VNT-2a Identify community groups who are willing and have the capacity to help manage and program space for community gathering and playability. Write grants to offset capital and operational costs. It should be clear to all involved parties that it is not the City’s intent to turn vacant lots into long-term parkland by virtue of allowing interim uses.</p>	<p>City, Common Ground Health, Community Groups/Funders</p>
	<p>VNT-2b Develop a program for enabling local artists to add installation or artistic programming to strategically located vacant lots.</p>	<p>City, Arts Community, Community Groups/Funders</p>
<p>VNT-3 Facilitate Community Gardening on vacant lots.</p>	<p>VNT-3a Create the administrative infrastructure for long-term (e.g.,5-year) permit/lease arrangements for the sponsor of a community garden on City-owned land who has demonstrated a sustainable gardening operation that is supported by the immediate neighborhood.</p>	<p>City</p>
	<p>VNT-3b Allow gardeners to respond to City Requests for Proposals for vacant lot redevelopment in areas where gardens may be a desired amenity and are widely supported by the surrounding neighborhood, particularly within the lower demand housing markets.</p>	<p>City</p>
	<p>VNT-3c Consider changes to the Zoning Code that allow gardening as a principle use within specified parameters.</p>	<p>City</p>

Notes:

1. Partners listed in bold are recommended to lead the implementation of that strategy.
2. For a list of partner acronyms see [Appendix A](#).

GOAL	STRATEGIES	PARTNERS
VNT-4 Create the City Hall administrative infrastructure to allow creative and flexible options for repurposing vacant lots.	VNT-4a Revisit Real Estate land disposition policies to see where changes can be made to respond to the 2018 Citywide Housing Market Study recommendations.	City
	VNT-4b Remove or revise the City’s policy and language in Chapter 21 of the City Code around the terms “buildable” and “unbuildable” residential vacant lots. The current policy is inconsistent with the built form of the city and our desired restoration of urban vitality, density, and pedestrian scale design.	City
	VNT-4c Develop policies and protocols for temporary or interim uses of City-owned vacant lots for green space, while recognizing that the City’s long term goal is to return most City-owned lots to housing, commercial, or mixed-use development that provides community benefits while also contributing to the city’s tax base.	City
	VNT-4d During the rewrite of the City Zoning Code, include provisions to allow long-term temporary uses of vacant lots for gardening and/or community gathering/events space.	City
	VNT-4e Review models from other cities to develop some creative programming for public art installations on strategic vacant lots throughout all areas of the City of Rochester.	City, UR, Arts Community