

Neighborhood Enrichment Strategy

Strategic Issue: Quality of life in neighborhoods is a driver of livability and economic prosperity.

Problem Description: Emergence of at-risk neighborhoods in areas of Kent that have a disproportionately high share of at-risk factors, including: declining ownership and high rental rates, aging housing stock, problems with noise from parties and vehicles, parking supply problems, public safety issues including vandalism and trash, poor property maintenance practices, code violations, loss of sense of neighborhood, declining property values, etc.

Enrichment Program Objectives: To create a framework that supports a multi-faceted approach to enriching Kent neighborhoods and restoring the social and economic vitality of at-risk areas in Kent.



No one strategy or policy alone is adequate to address the issues of at-risk neighborhoods. National research shows that a broad range of strategies, implemented by the university, the city, landlords and the neighborhoods are necessary to begin the process of resolving these issues.

In the pages that follow, staff has begun to lay out the items that comprise a comprehensive strategy. There is much work to do and we will continue to expand our research within these categories in future editions of this report.

We have also included a few attachments that describe efforts in other cities that are facing the same challenges to help us learn their lessons.



ACTION RECOMMENDED by the Health and Safety Committee of City Council October, 2006

The City Council action of October 25, 2006 was to refer to the administration several items to address concerns for follow-up on neighborhood issues. Several items had been forwarded to the Council for their consideration. After deliberation, the Council requested additional follow-up on these and several other items.

These issues are expanded upon in this report:

- Item 1 Expand ordinance limitations on noise; Increase in fines for the noise ordinance;
- Item 2 Define ways to improve solid waste management;
- Item 3 Identify means to establish neighborhood councils;
- Item 4 Institute night parking restrictions on N. Willow street;
- Item 5 Analyze the authority for establishing (and managing) occupancy limits for boarding houses;
- Item 6 Create and agreement with KSU on parking lot restrictions during evening and weekend hours;
- Item 7 Consider closing of municipal parking lot (City Hall lots) during non-business hours.
- Item 8 Further investigate the ability to revoke housing licenses for health and safety issues or under the nuisance ordinance.

Item 1. Noise Two exhibits are attached to provide for changes in the manner requested by the Council, including a clearer restriction on outside music and sound generation, and increased penalties for violation of the ordinance. Suggestions are included in two exhibits which are attached.

Exhibit A xxx.xx NUISANCE PARTY REGULATIONS. This proposal creates the offense of "Nuisance Party" restrictions, and provides standards to control premises for situations in which behavior goes beyond simple noise violations. The ordinance establishes greater police authority to disperse a prohibited event, and establishes broader penalty authority on first time and repeat violations, as an unclassified misdemeanor,.

Exhibit B 509.12 UNLAWFUL NOISE This proposal expands upon the current unlawful noise ordinance, by prohibiting outdoor performances in a residential district, clarifies municipal exemptions, prohibits retaliation, and institutes broader penalty authority as well.

Item 2. Solid waste management

A. A new ordinance section is suggested in **Exhibit C** to provide for timely litter clean-up on private property, and assigns criminal penalties and civil infraction cost recovery when such clean-up does not take place. *The application of some of these ordinance changes will create additional workload for the city in order to provide for timely enforcement.*

xxx. **Solid waste management on private property**

xxx.01 Definitions

xxx.02 Litter on private property.

xxx.03 Owner and occupant to maintain premises free of litter; recovery of costs by owner when violation is caused by occupant.

xxx.04 Enforcement generally; notice to abate.

xxx.05 Enforcement; penalties

B. It is recommended that the city establish limitations on trash pick-up days in the individual wards or neighborhoods. If trash or trash containers are left in the right-of-way any other days of the week, it would be either a minor misdemeanor, or a civil infraction levied against the property owner.

This change would require the enactment of ordinance regulations restricting trash pick-up in residential areas in one of the following manners:

1. All residential trash pick-up to be done on two or three specified days of the week, city wide.
2. Residential pick-up limited to two designated days of the week; assigned by ward.
3. Civil agreements through negotiations with the licensed trash haulers in the city who provide residential pick-up service on specified days of the week, or day limitations with designated single haulers for each ward or assigned zones.
4. Or, the city assumes responsibility for residential trash pick-up, and contracts with a single hauler to provide the service city wide, or by designated zones.

Trash container regulations could be expanded upon to avoid unstable or uncovered cans or bags that often result in spillage.

Item 3. NEIGHBORHOOD COUNCILS

Neighborhood councils are similar in approach to the previously utilized concept of neighborhood crime watch, although the thrust is less criminal offense oriented, and more oriented to improving the overall neighborhood environment. As a result, the police organization and management of such a group is less important than organization and management by those from the neighborhood who desire social change. In many previous experiences, crime watch was an action that was driven by some threatening aspect of the neighborhood environment, and as such, the participation waned when the threat diminished. The broader neighborhood council approach works towards social improvements rather than punitive intervention. The neighborhood council enlists participation through a broad participation of neighborhood-oriented residents, most effectively through local elected representatives and a core of active leaders recruited from within the neighborhood. Therefore, the initial organization should come from interested parties from within the neighborhood.

A neighborhood council can be established in the following steps:

1. Identify and target geographically-linked areas that have similar problems or concerns.
2. Recruit block representatives to be trained in basic ideas on how to encourage residents in these areas to demonstrate responsible behavior.
 - a. Try to include representatives of all segments of the demographics of the neighborhood.
 - b. Invite non-resident property owners to participate.
3. Identify the problems and concerns the neighborhood council would like to address; both short and long term.
4. Train the neighborhood council participants in possible means to intervene in the identified problem behaviors. (Possible police/community development/health department support).
 - a. How to approach problem behaviors.
 - b. How to create contact and relationships with property owners.
 - c. Train in city regulations that may apply to some of the concerns.
IE. Noise, trash, traffic issues, etc.
 - d. Develop the group's own possible strategies for bringing about change.
5. Advise and train the council group on the limits and abilities of the police department to meet the neighborhood's needs.
6. Encourage or take advantage of participation by other community-minded and/or student groups.

Item 4. Willow St. overnight parking prohibitions

A draft ordinance has been forwarded for the City Council consideration in January, to enact the overnight restriction.

Note: Although expansion of the areas of overnight parking prohibitions was rejected by the City Council, it is important to point out that single street restrictions may not solve all issues. Restrictions on a single street may only displace the problems to another adjacent section of the neighborhood. The primary streets where disruptive occurrences take place often impact adjacent streets with overflow parking. If the purpose of limiting or prohibiting the overnight parking on these streets is to reduce the capability of large events from taking place, then parking on adjacent streets must also be considered.

Streets recommended for consideration are:

Primary street:	N. Willow	E. College	Vine St	S. Depeyster	University Dr.
Associated streets:	Highland	College Ct.	High St.	E. Hall	Miller Ave.
	Gatun		E. Williams	E. Oak	Doramor
			E. Hall	E. Williams	
			E. Oak		

An alternative to this approach to parking is to establish nighttime residential parking permits to provide for parking by residents or guests only between the hours of 10PM and 7AM. This approach is not recommended, as it creates substantial enforcement responsibilities during times when other police activities are high. Further, the presence of some vehicles on the street encourages additional parking whether there is a posted restriction or not.

Item 5. AUTHORIZE OCCUPANCY LIMITS, FOR BOARDING HOUSES ONLY.

Currently awaiting law department review

Conduct legal research on the authority to implement such limits.

Do they fall within the health and safety standards of the health code?

Do these limits include fire code standards?

Determine the staff's capacity to conduct, review and enforce these regulations.

Does the building inspection division have responsibility for determining the appropriate limits based on structural soundness of the building?

Can the property owner be required to submit an occupancy limit study by a qualified engineer in order to fairly determine such limits, or does the city take on this assessment responsibility?

Who will have the primary enforcement responsibility? Health, building, police, fire?

Item 6. AGREEMENT WITH KENT STATE UNIVERSITY TO CLOSE PARKING LOTS DURING NON-BUSINESS HOURS, ADJACENT TO CITY PARKING LOTS, I.E. LINCOLN STREET AND THE FASHION MUSEUM.

Currently the university applies parking restrictions at the Lincoln St. lots after seven and ten PM each evening, unless special events are taking place in the buildings associated with these lots. Gates are closed after these hours, with enforcement taking place for violations. Additional enforcement efforts regularly take place during those times when there is a foreseeable possibility of violations of time restrictions in the lots.

Looking to the future, the university is assessing parking changes in the area, due to changes in use of some of the buildings in proximity to these lots. The focus will continue to be restricted use; generally to daytime traffic. The balance of the time will result in continued nighttime restrictions, again with the occasional special event exception. The lots are likely to be equipped with mechanical gate controls requiring authorized access keys.

Item 7. RESEARCH THE ABILITY OF CLOSING THE MUNICIPAL PARKING LOT DURING NON-BUSINESS HOURS, ALLOWING THE POLICE TO TOW VEHICLES PARKED IN THE LOT.

Specifically addressing the Depeyster St/Tonkin Court/City Hall parking lots, there are a couple of ways in which parking can be limited in these lots.

- a. Rely on police officers to cite and tow vehicles parked in violation of posted nighttime limitations. This option may not necessarily be effective, as the time of such violations is typically during the times of the police department's highest activity periods.
- b. Enter a contractual agreement with a local towing firm to post nighttime parking restrictions (as prescribed in the O.R.C.) and have vehicles removed whenever a violation is observed. This option may serve as a sufficient penalty for parking in the city lots, but the practical result is it may more effectively generate revenue for the towing companies. This type of towing causes frequent complaints to the police, although the process is legal. Towing may also not prohibit parking in the lots, since the vacancies can quickly be filled by additional violators. This approach may also create problems when the lots are needed for city meetings or occasional nighttime city employee parking (that may require issuance of staff parking permits). It may be best implemented if the limitations are restricted to specific times, such as 10PM to 6AM, on weekend nights.—or by city permit requirements.
- c. Mounting gates at the access drives to the lots may be another viable means to limit parking in the city lots during evenings and weekends. Again, the logistics of evening meetings and employee use may complicate this approach. Although a burdensome approach, city personnel can be designated to close lots at night and to unlock the gates each morning. Gating the lots will also require some coordination with the plowing service to enable the lots to be cleared.

Of these three alternatives, item b. may have the greatest deterrent effect, while creating the least additional responsibilities for the city staff. It will create some noteworthy irritation on the part of those whose vehicles are towed.

Item 8. TO ASK THE LAW DIRECTOR AND THE ADMINISTRATION TO RESEARCH THE REVOCATION OF HOUSING LICENSES WITH RESPECT TO HEALTH AND SAFETY ISSUES OR THE NUISANCE ORDINANCE.

Awaiting law department review. Health revocation or other civil action?

Currently, the results of the criminal nuisance ordinance are reviewed for significantly high repeat offenders. If, and when such a property is identified, the city can file a nuisance abatement action in Common Pleas Court under Chapter 2506 of the Ohio Revised Code. This can be a long legal process, but will be applied when a qualifying property is identified.

Exhibit A

xxx.xx NUISANCE PARTY REGULATIONS.

(A) *Nuisance party defined.* A social gathering or party which is conducted on premises within the city and which, by reason of the conduct of the persons in attendance, results in any one or more of the following conditions or events occurring at the site of the said party or social gathering, or on neighboring public or private property:

- (1) disorderly conduct;
- (2) illegal open container;
- (3) outdoor urination or defecation in a public place, or on the property of another;
- (4) unlawful sale, furnishing, dispensing or consumption of beer or intoxicating liquor; sale or furnishing of beer or intoxicating liquor to an underage person;
- (5) possession or consumption of beer or intoxicating liquor by an underage person; illegal use of a controlled substance;
- (6) public indecency;
- (7) unlawful deposit of litter or refuse;
- (8) damage or destruction of property without the consent of the property owner; unlawful pedestrian or vehicular traffic;
- (9) standing or parking of vehicles that obstructs the free flow of traffic on the public streets and sidewalks or that impedes the ability to render emergency services; unlawfully loud noise;
- (10) any other conduct or condition that threatens injury, inconvenience, or alarm to persons or damage to property which is hereby declared to be an unlawful public nuisance.

(B) *Duty to control premises.* Any person who is an owner, occupant, tenant, or otherwise has rightful possession or possessory control, individually or jointly with others, of any premises, who either sponsors, conducts, hosts, invites, or permits a social gathering or party on said premises which is or becomes a nuisance party, as defined in division (A), and which nuisance is either the intentional result of, or within the reasonable expectations of, the person or persons having such possessory control is deemed to be in violation of this section.

(C) *Order to cease and disperse.* A party or social gathering that is or becomes a nuisance party, as defined in division (A), shall cease upon the order of the Police Chief, or the Police Chief's designee; and all persons not residing therein at the site of such social gathering or party shall leave the premises immediately. Any person who fails or refuses to obey and abide by such an order shall be guilty of a violation of this section.

(D) *Retaliation.* No person shall direct a verbal, physical or electronic act against the person, family or property of any individual who complains of or witnesses a violation of the Nuisance Party regulations for the purpose of intimidating or retaliating against that person for the exercise of the right to complain or testify to a violation of this Code.

(E) *Penalty.* Whoever violates this section is guilty of an unclassified misdemeanor offense, punishable by a fine of at least \$500 and not exceeding \$1,000. For a second offense committed within twelve months after the commission of the first offense, the person shall be guilty of a misdemeanor offense, punishable by a fine of at least \$750 and not exceeding \$1,000.

(Bowling Green)

Exhibit B

509.12 UNLAWFUL NOISE (Amended Kent ordinance)

(a) UNLAWFUL NOISE - PROHIBITED. It is unlawful for any owner, occupant, agent or persons in possession or control of any structure, lot, thing or building, premises or vehicle to make, continue or cause to be made or continued, or permit to be made, any excessive, unnecessary, or unusually loud noise or any noise which disturbs, annoys, injures or endangers the comfort, repose or health, peace or safety of persons of ordinary sensibilities within the City. (Ord. 2002-130. Passed 12-11-02)

(b) UNLAWFUL NOISE - ENUMERATED. The following acts, among others, are declared to be loud, disturbing, injurious and unnecessary and unlawful noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(1) Horns and Signal Devices. The sounding of any horn or signal device on any automobile, motorcycle, bus or train, or any other vehicle while not in motion, except as a danger signal or to give warning of intent to get into motion, or, if in motion, only as a danger signal after or as brakes are being applied and decelerating of the vehicle has begun; the creation by means of such signal devices of any unreasonably loud or harsh sounds; and the sounding of any signal device for any unreasonable or unnecessary period of time.

(2) Radio, Stereo, Musical Instruments. The playing of any radio, stereo, television set, amplified or unamplified musical instruments, loudspeaker, tape recorder, or other electronic sound-producing devices, in such a manner or with such volume at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling, hotel, hospital or other type of residence, or of any persons in the vicinity. The operation of any such set, instrument, phonograph, machine or device in such a manner as to be plainly audible on a property or in a dwelling unit other than that in which it is located, shall be prima facie evidence of a violation of this section.

(3) Loud Noises or Disturbances. Yelling, shouting, hooting or the making of any other loud noises on the public streets, or the making of any such noise at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel, hospital or other type of residence, or in any office or of any persons in the vicinity.

(4) Animal Noises. The keeping of any animal, which by causing frequent or long continued noise shall disturb the comfort or repose of any person.

(5) Whistle or Siren. The blowing of any whistles or sirens, except to give notice of the time to begin or stop work or as a warning of fire or danger.

(6) Engine Exhaust. The discharge into the open air of the exhaust of any engine, or internal combustion engine, except through a muffler or other device which effectively prevents loud or explosive noises therefrom.

(7) Noisy Advertising. No person shall, by ringing a bell or gong, or by using a phonograph or other instrument for producing or reproducing sounds, or by using loud or boisterous language or by any unusual noise or means whatever, advertise goods, wares, or merchandise for sale, or advertise any show, theater, exhibition, or entertainment.

(8) Noisy Machinery. No person shall maintain, run, or operate any steam, gas, gasoline, or other engine, boiler, press, machine, or other apparatus so constructed or operated as to make any unnecessary noise, to the annoyance and discomfort of the people of the City, except in the course of making an emergency repair and for weather necessitated activities.

(9) Noise-producing Instruments. The use of any device, apparatus, radio, ticker or other noise-making and noise-emitting device for general advertising purposes, or for the purpose of soliciting trade or attracting attention to any wares, good, merchandise, instrument or device offered for sale is prohibited.

(c) SOUND GENERATED BY DEVICES OR INSTRUMENTS It is prima facie unlawful for a person to generate or permit to be generated sound by the above described devices or instruments in the following circumstances:

(1) On private property between the hours of 9:00 p.m. and 8:00 a.m. of the following day in a residential area where the sound is audible past the property line of the property on which the source of the sound is located; or (2) On a street, highway or in the public right-of-way where the sound is audible thirty (30) feet from the device generating the sound. Persons in possession of a current parade permit, assemblage permit, or a current loud-speaker permit are exempt from the provisions of this sub-paragraph.

(3) By conducting an unduly large gathering at a private residence or in a private residential area which generates excessive noise at any time.

(d) No person being the owner, or person in possession of a premises for person in control of the premises by reason of employment, agency, or otherwise, whether such ownership, possession or control is exclusive or joint, shall permit a violation of this section.

(e) **WARNING AND ALARM DEVICES** Warning and alarm devices which have the purpose of signaling unsafe or dangerous situations or calling for police are exempted from the prohibitions of this section when used for such purposes and are in proper working order.

(f) **AGRICULTURAL ACTIVITIES** Agricultural activities conducted within an agricultural district as authorized in Chapter 929 of the Ohio Revised Code, shall be exempted from the prohibitions of this section when the activities are not in conflict with federal, state or local laws or are conducted in accordance with generally accepted agricultural practices.

(g) OUTDOOR PERFORMANCES The use, production or presentation outdoors in a residential neighborhood, by a live band of any make-up, or the use of outdoor amplification or amplification intended directly or indirectly to be heard outside of the structure where the event is being held.

(g h) EXEMPTIONS Events officially sponsored and/or approved by the City of Kent, such as festivals, fireworks, parades, etc., **activities that are essential to the proper performance work-related duties of the officers and employees of the City**, and events official sponsored by governmental educational institutions and the Kent Board of Education such as sporting events, marching bands, etc., shall be exempt from the prohibitions of this section. (Ord. 1997-69. Passed 10-1-97.)

(i) Retaliation. No person shall direct a verbal, physical or electronic act against the person, family or property of any individual who complains of or witnesses a violation of the Unlawful Noise regulations for the purpose of intimidating or retaliating against that person for the exercise of the right to complain or testify to a violation of this Code.

(j) VIOLATION PENALTY

(1) Whoever violates this section **except section (i)** is guilty of generating unreasonable noise ~~and a minor~~ **an unclassified misdemeanor, punishable by a fine of up to \$1,000, or up to thirty days in jail.** If the offender persists in generating, or permitting to be generated, unreasonable noise after reasonable warning or request to desist, ~~is guilty of a misdemeanor of the fourth degree.~~ **the penalty shall include a minimum fine of \$500.**

(2) Whoever violates Section (i) herein, is guilty of an unclassified misdemeanor, punishable by a fine of at least \$500 and not exceeding \$1,000.

Exhibit C Solid waste management on private property

xxx.01 Define "party litter"

**Owner
Occupant
Civil infraction**

xxx.02 Litter on private property.

No person shall throw or deposit litter on any private premises within the city, whether owned by such person or not, except that the owner or person in control of occupied private premises may maintain authorized private receptacles for collection or storing trash and litter as prescribed by section ____ of the City Code and in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk, or other public place, or upon any private property.

xxx.03 Owner and occupant to maintain premises free of litter; recovery of costs by owner when violation is caused by occupant.

(a) The owner and occupant, as the case may be, shall at all times maintain the premises free of litter, including, but not limited to, the accumulation of any litter within yard areas, open accessory structures and along fence lines, provided, however, that this section shall not prohibit the storage of litter in authorized private receptacles for collection.

(b) The owner of a property who is found to be responsible for a violation of this article charged as a civil infraction has the right to recover in a civil action against the occupant who caused or allowed the violation, damages in the amount of any fine, costs or expenses assigned by the city. The owner of a premises may provide in a written agreement that the person who caused or allowed a violation of this article, when the violation is a civil infraction, shall indemnify the owner for any civil fine, costs and expenses imposed upon the owner for that civil infraction.

xxx.04 Enforcement generally; notice to abate.

The Health Commissioner is charged with the enforcement of this article for all properties within the City of Kent and may, for such purposes, assign enforcement Health Department employees. The enforcing officer shall notify the owner and occupant, as the case may be, of any violation of this article in the manner provided by city code, or by posting the notice in some conspicuous place on the land or attaching the notice to the entrance of the building or structure and shall specify a compliance time in the notice, such time not to be less than two days nor more than three days from the time said notice is served.

In the case of a violation involving party litter, a notice issued to an occupant shall be complied with in no more than eight hours from the time the notice is served if served by being posted on the property and no more than two hours if personally served on an occupant. Such notice of party litter clean-up responsibilities may be executed by Health Department employees, or designated police officers assigned to such duties.

xxx.05 Enforcement; penalties

- a. Whoever violates section xxx.02 is guilty of a minor misdemeanor.
- b. Whoever fails to timely respond to a notice to abate is guilty of a minor misdemeanor, and is further responsible as a civil infraction clean-up costs if the clean-up is undertaken by the city. If resulting payment is not paid in a timely manner after a notice of payment due, the costs can be assessed to the property taxes.

Attachments: Other City Neighborhood Programs

1. Minnesota 4-City Neighborhood/University Study Summary
2. Mankato, MN, Neighborhood Support Officer
3. Charlottesville Virginia / University of Virginia Shared Property Maintenance Inspector

1. The following is an from a 4-City Study of "Neighborhood Best Practices" of university cities in Minnesota.

MEMORANDUM
DATE: 2/14/2006

TO: Jessica Thomason, Community Development, City of Fargo
Paul Vogel, Director of Community Development, City of Mankato
Lisa Vatnsdal, Neighborhood Services Manager, City of Moorhead
Matt Glaesman, Planning Director, City of Saint Cloud
FROM: John Shardlow, President, DSU
Brendon Slotterback, Planner, DSU

RE: Neighborhood Best Practices Study – Phase II: Research & Analysis
ATTACHMENTS: Research Appendix

This technical memorandum is the second and final in the series for the Neighborhood Best Practices Study. The focus of this memo is "Phase II" of the study. This included a comprehensive search for tools, approaches and strategies that have been used in Minnesota and throughout the country to address the issues that the study communities are facing. This research included:

- Examination and evaluation of approaches and strategies adopted by municipalities facing similar issues
- Standardized definitions of "rent", "rental property", "guest" and "family"
- Strategies for the conversion of rental properties to single-family occupancy including various incentives, licenses and policies
- Strategies to reduce occupancy in existing rental properties to current or new occupancy standards
- Various approaches to related issues including parking, density regulations on rental properties, problem properties, and community responses
- Types of enforcement

This memo will include a summary of the research on practices and approaches being implemented by cities dealing with similar issues across the country. This includes alternative definitions, enforcement methods, and other strategies and policies as listed above. This will be a broad range of approaches, a possible "tool box" from which the study communities can begin to select the strategies appropriate to their specific situations. Not all strategies will be appropriate for every community; rather this is an attempt to highlight the wide spectrum of strategies that have been used across the country.

• Alternative Definitions

A critical piece of any code is the definitions that support it. This section will look at alternative definitions from cities across the country facing similar issues, as well as The Planner's Dictionary, a resource for definitions related to planning issues.

• Strategies for Addressing Student Housing

This section will look specifically at strategies to address rental conversion including rental licensing, overlay districts and other zoning related tools. A strategy that is used in Richfield, Minnesota that could be applied to converting substandard rental properties back to single-family homes or to higher density rental units.

• Strategies for Addressing External Effects of Student Housing and Neighborhoods

This section looks at the other issues associated with student populations beyond housing. Strategies for addressing parking, safety and nuisance issues are identified and reviewed.

• Recommendations

The above information will be developed into a set of recommendations designed to provide all participants with a solid base for developing a set of Neighborhood Best Practices. This will include recommendations on the necessary components of neighborhood policy, the adaptation and appropriate implementation of general practices, and suggestions for essential and effective communication.

In summary, **no one strategy or policy alone is adequate to address the issues faced by the study communities.** National research shows that a broad range of strategies, implemented by the university, the city, and the neighborhood are necessary to begin the process of resolving these issues.

Another key to the process is an inclusive planning and implementation process. In the case of neighborhood planning, residents, students, and college and university representatives must be included in the goal-setting and implementation processes. **Without communication and cooperation, political expediency (buy-in of elected officials and passage of necessary codes and policies), enforcement and the ultimate success of the process will be hampered.**

Definitions

Definitions are used in zoning, housing and other city codes to establish meaning in any ordinance. The actual definition of a word in an ordinance can serve as a tool in and of itself, and definitions therefore become important. For example, the definition of family is often used to limit the number of unrelated individuals living together in a single unit, and can therefore be used in conjunction with zoning to limit population density.

The definitions identified in this study are taken both from national examples of cities who have experienced issues similar to those in the study communities as well as the *The Planner's Dictionary*, a publication of the Planning Advisory Service and the American Planning Association. The Dictionary provides definitions for each word from many different cities and often includes commentary on its usage. The definitions drawn from national examples are from the cities of Chapel Hill, NC, Columbus, OH, Bloomington, IN, Roseville, MN and Boulder, CO.

Family

Although research into the definition of family was not specifically specified in the contract, it is an important addition as the definition of the term is quite frequently used in city code to establish density limits or limits on the number of unrelated persons that can live together. Two important notes about using a restrictive definition of family are warranted before proceeding further. First, **many state courts have rejected the use of a narrow definition of family to solve problems associated with over-occupancy.** Therefore, instituting such a definition should be done with caution. Second, **the use of these restrictive definitions may not solve the problems that are central to this study.**

According to Craig Raborn in an article in *Zoning News*, "A review of research and planning literature finds no indication of links between density of occupancy and a reduction in the type of disturbances that often lead to the cities narrowing the definition of family."¹ The lesson from the court case Raborn cites and other examples in general is that cities must be careful to establish a nexus between the goals of the ordinance (reducing parking, overcrowding and noise problems) and the rules of the ordinance (limiting occupancy of a home to only those related by blood or marriage). Large families distantly related who are living in small homes may present just as serious a problem to neighbors and the city as a group of unrelated students keeping house together.

To avoid this problem, most of the definitions of family identified here employ restrictions on total size of a household as well as how inhabitants are related. In both the definitions from the dictionary and from the national examples, three distinct categories of family definition emerge. The first is the unrestrictive

definition. According to the Planner's Dictionary, Clarkdale, Arizona has an unrestrictive definition of family.

"Any number of persons living together as a single housekeeping unit under a common housekeeping management plan."

This type of family definition would probably not be appropriate for the study communities as it allows an unlimited number of people to live together. The second type of definition includes a restriction by relation, number of inhabitants, or both. Columbus Ohio, home of Ohio State University uses such a definition in its code.

"...an individual or any number of individuals related by blood, marriage, or a group of not more than five (5) individuals not so related, living together."

This type of definition might be appropriate for use in the study communities as it limits the total number of inhabitants that can live in one dwelling; however it allows an unlimited number of related individuals to live together, which could, as noted above, present legal problems. This definition would not allow six college students to live in a 6 bedroom house, but would allow 10 related individuals to live in a 2 bedroom house, a situation which would seem to present much greater problems.

The final category of family definition is most restrictive, as exemplified by the definition from Bloomington, Indiana.

"Means a family consisting of an individual or people related by blood, marriage, or legal adoption, and any other dependent children of the household. In the RE and RS districts and in the RT7 district except where overlaid by a PRO 15 district, "family" also includes a group of no more than three adults, and their dependent children, living together as a single housekeeping unit in a dwelling unit. In all other districts, "family" also includes a group of no more than five adults and their dependent children, living together as a single housekeeping unit in a dwelling unit."

This definition ties the maximum number of residents, including related family members, to specific zoning districts. This type of definition may be useful to the study communities as it allows them to identify specific geographic areas in which the number of residents per unit can be limited. A full list of definitions of the term "family" can be found in the Research Appendix.

1 Raborn, Craig. "Coping with Colleges: How Communities Address the Problems of Students Living Off-Campus". *Zoning News*, May 2002. American Planning Association.

Rent

The term "rent" was not commonly defined in most of the cities identified as national examples.

The Planner's Dictionary provided one definition from Woodside, California.

"Any payment in whole or part cash made in exchange for the human habitation or occupation of a building or dwelling unit."

Guest

"Guest" was also not a term commonly defined. The Planner's Dictionary did include definitions of the term however.

"Any person, other than a member of a resident family, who occupies quarters for sleeping purposes and who is not required to pay rental of any kind for such occupancy."

This definition from Woodside, California could be useful in the study communities because it specifically excludes persons who are not paying rent for occupancy of a unit. Additional definitions of "guest" are listed in the Research Appendix.

Rental Property

The term “rental property” was not defined by many of the communities surveyed. Roseville, Minnesota defines the term as follows.

“The term “residential rental property” means any building, structure, room, enclosure, or mobile home with 1 to 4 units including the real property upon which it is located and which surrounds it, which is rented or offered for rent as living quarters. Residential rental property does not mean on-campus college housing, hospital units, nursing home units, multiple rental property over units or hotels or motels with daily rental units, all of which shall be specifically exempt from registration and license under this Section.”

Other definitions that were found that are similar to rental property included “rental unit”, “rooming house” and “tenement house”. These definitions can be found in the Research Appendix.

Strategies for Addressing Student Housing

Strategies for addressing the occupancy, appearance, and geographic location of student housing are varied. They include rental licensing, overlay districts, and other zoning tools. A strategy for converting rental properties back to owner-occupied properties will also be examined.

Rental Licensing

Rental licensing is another common approach to problems associated with rental conversions. In order to ensure that rental properties meet housing, zoning and other codes, cities can institute a rental licensing system in which owners of rental property must submit an application to be licensed before renting the property.

A licensing program can have many benefits. The health and safety of renters can be protected by ensuring the compliance of all rental properties with city codes. Licensing can also ensure that rental properties meet standards adopted by the city to protect the neighborhood from the negative effects of rental properties. Licensing programs can also provide accurate data on how many rental units exist in the city, allowing city staff to judge the speed and extent of rental conversions.

Roseville Minnesota has a draft rental licensing ordinance that is a good example of how these ordinances may be implemented. The Roseville ordinance requires all rental properties to be licensed, and before a license is granted, each property must be inspected. An annual license fee of \$50 is required for each unit, as well as a license transfer fee and a license reinstatement fee. These fees are one method by which cities may recoup the cost of enforcing codes.

In the case of Roseville, a compliance officer inspects the property to make sure it complies with all rules and ordinances that effect dwelling units. Roseville also ensures that owners of rental property enforce city rules regarding disorderly conduct, public nuisances, noise control, parking and others. If three violations of any of these rules occur in a one-year period, an owner’s rental license may be revoked. In this way, the city can motivate rental property owners to be involved in the enforcement of the city’s rules, and reduce the cost of enforcement.

Challenges to Rental Licensing

A rental licensing program is an enforcement tool, and as such, its success in solving problems associated with overcrowding, dwelling maintenance, public nuisances and other issues depends on the strength of the underlying ordinances. A commitment to the program is also a key to reaching solutions. Campus Partners, the group charged with addressing neighborhood issues around Ohio State University, recognized this, and recommended in its plan hiring two additional code

enforcement officers to reduce workload and ensure inspections were completed within a reasonable time period. Roseville also notes that the \$50 per-unit fee does not cover all the expenses of inspections process, but any higher fee was deemed unreasonable. Cities who want to implement a rental licensing program will need to designate funds to the program. Other cities that have a rental licensing program include Mankato, Minnesota, Bloomington, Indiana, and Boulder, Colorado.

Changes in Zoning or Overlay Districts

If a city determines that they want to concentrate student housing in a certain area, this can be accomplished through either a change in zoning, or the adoption of an overlay zoning district. Either approach can allow a city to specify where it will allow student rental housing to be located, and what the character of that housing will be. These approaches can be useful in two capacities, the first is restricting occupancy and the second is permitting higher occupancy to preserve other neighborhoods. In the first case, a community may use a change in zoning in an area near a school to restrict the number of unrelated persons that may live together, or the number of students that live together. This type of rule would require a very robust enforcement scheme, which many cities may find difficult to implement. Allentown, PA is an example of a community with a restrictive overlay district aimed at student populations.

The second and more basic use of a different zoning would be to accommodate student or higher density housing in order to preserve lower density housing elsewhere. College and university campuses will continue to grow, along with student populations, and in contrast to restricting where students can live, a proactive approach may be to identify the most appropriate places for these residents and accommodate growth strictly in those areas. Through a planning process, and then continuing with a zoning process, areas of a city could be identified that are appropriate for student housing, and then an overlay district could be applied in these areas. This zone should allow for increased density to accommodate student populations that may be spilling over into surrounding areas. An infill program in Austin, Texas near the University of Texas is a good example of such a program. The program was received well by residents of surrounding neighborhoods as they saw it taking the pressure to accommodate more housing off their neighborhood. The program introduced 1,500 residential units in the overlay area.²

² Austin Lunday, Elizabeth. "The Power of *Infiltration*". Planning Magazine, January 2006. American Planning Association.

Either changes in underlying zoning districts or overlay districts may be effective because they can help focus student housing in designated areas, while protecting surrounding neighborhoods. Their application should be approached comprehensively, including a planning and public involvement process and ensuring that all aspects of a city's codes and ordinances are mutually reinforcing. The benefits of a change in zoning is that it could help to achieve buy-in from neighborhood groups, easier enforcement of codes due to location, and easy access for students to university facilities (depending on the location).

Challenges to Zoning

The first and most obvious challenge to adopting new zoning is the outlay of time and money needed to undertake the planning and ordinance revision required to establish the new zone. The "student" neighborhood will also have to be established somewhere in the city, preferably close to campus, and undoubtedly some residents will be unhappy with the location. Finally, like other strategies, zoning requires an effective enforcement program to oversee construction, inspections and to ensure that zone boundaries are being respected.

Other Zoning Tools

Besides overlay zoning, a number of other zoning tools have been used to try and address problems associated with student housing. Two examples of these tools are accessory dwelling unit guidelines and location regulations for student housing.

Accessory Dwelling Units

Boulder, Colorado has an ordinance that allows accessory dwelling units within certain zoning districts. The ordinance has design guidelines for the unit and prohibits accessory dwelling units from being a duplex or multi-family dwelling. Owners must submit an application for an accessory dwelling unit and an administrative review determines whether it will be allowed.

The purpose of allowing accessory dwelling units is to prevent the full conversion of single-family homes to rental properties. The owners of the homes still reside on the property, and maintain control over the ADU. This can have the effect of limiting the impact of renters on a neighborhood, as it controls population density, increases the property owner's stake in the neighborhood, and can help limit problems like parking through ordinance requirements.

Design/Location Guidelines

Saint Paul, Minnesota attempted to address through an ordinance that would establish a distance requirement between student rental units. The ordinance has not been passed in Saint Paul, but it was based on an ordinance passed in State College, PA the home of Penn State University. The purpose of a distance requirement is to prevent over-concentration of student housing in certain neighborhoods. Saint Paul's draft ordinance established a 350 foot distance from the lot line of one student rental to the lot line of another. This ordinance would be similar in intent to the restrictive overlay zone, only it would use distance requirements instead of a restriction on the number of unrelated occupants.

A challenge to using this type of ordinance would be identifying what rental properties contain student renters. This would require a great deal of additional enforcement capacity. Restricting occupancy based on whether an individual is a student also may be legally questionable. We advise consultation with the city attorney before pursuing this route.

Richfield Rediscovered

Richfield Rediscovered is a program to build new single-family homes on existing home sites. The website for the program claims that it replaces "small, substandard, functionally obsolete housing with new higher valued homes that have square footage and design features sought by families today". This program is basically intended to facilitate the redevelopment of housing stock. The Richfield HRA provides a \$50,000 development credit on the completion of a property. This does not specifically address student housing, it is an example of a program that could be used to convert substandard rental units into either rental units that meet new (or previously unmet) code requirements or simply back into owner-occupied units.

This type of program could be paired with an overlay zone that identifies where the credits will be given, and for what type of conversion. For example, in a neighborhood that the city wished to preserve as single-family, it could only give a credit for conversion from rental to a single-family unit. In a neighborhood designated for student housing, credits could be given for the construction of high-quality high-density student housing to replace single-family units that have been converted to rental properties.

External Issues Related to Student Housing

Student housing often creates externalities which go beyond the conversion of single-family housing. These include parking problems and noise, nuisance and upkeep issues. Many of the strategies outlined above can serve to address these issues, but other strategies are also available.

Parking

Parking is a significant problem in University-adjacent neighborhoods for two reasons. First, since students may live at higher densities than other families in the neighborhood and each resident is likely to own a car, rental housing for students is unlikely to contain enough off-street parking to accommodate all residents. This causes neighbors to perceive a lack of on-street parking space in their neighborhood. Second, students commuting to campus from other areas of town may often

park in neighborhoods surrounding the campus while they attend classes. This crowds neighborhood streets with cars from students who do not live in the neighborhood and increases traffic around the University.

Transit

Some common methods of dealing with parking problems attempt to decrease demand for parking. The first is transit service and transit passes. By encouraging students to use transit and subsidizing whole or part of their cost to use transit, demand for parking around both the campus and student housing goes down. Transit pass systems are used by many universities across the country to both increase the mobility of their students and reduce parking problems. Many transit pass systems give students free rides on public transit to any destination and at any time. This feature helps eliminate the need for students to keep a car at home while only riding transit to school, effectively reducing parking pressures in the neighborhood.

Transit and transit pass programs could be used with overlay zones to increase their effectiveness. Once student neighborhoods are identified, fixed transit routes can help reinforce the area as one that is meant for student housing and can help solve parking problems.

Permitting

Parking problems can also be addressed through permitting. The City of Bloomington, Indiana has a permitting system which grants parking permits to only the residents of university-adjacent neighborhoods. Only permit holders may park on the street in these neighborhoods from 8 am to 5 pm, Monday through Friday. According to the City's website, "This Ordinance is meant to protect motorists, bicyclists and pedestrians from excessive commuter traffic competing for parking spaces as well as to reduce the amount of traffic in the neighborhoods."

The City of Boulder, Colorado also has a similar permitting system that restricts non-resident parking in specific neighborhoods, including University Hill, a neighborhood near the University of Colorado. Permitting systems are effective at restricting those who commute to a university from parking in a residential neighborhood. However, permitting systems also require enforcement to be effective.

Enforcement would generally be done by the University of City Police and the fines for parking without a permit would need to be high enough to discourage repeat offenses.

Car Sharing

A strategy that may work in student neighborhoods to reduce parking demand is car sharing. When students live in close proximity to campus, they often need their cars for trips besides going to school each day. Grocery stores or other retail outlets may not be near campus, and students may feel they need to keep a car in order to make these trips, even if they can walk or take transit to campus. Car sharing arrangements through private companies reduce the need for every student to have a car at their residence, provide a cost savings, and reduce parking requirements in student neighborhoods. One shared car may be able to substitute for up to ten parking spaces in an area with higher density. The University of Minnesota recently partnered with ZipCar to provide students and faculty with access to cars that can be rented by the hour or by the day. Cars are picked up and returned to one of three central campus locations.

Nuisance and Safety Issues

Noise, nuisance and other public safety issues are common concerns among cities with large student populations. There are a number of strategies that can be followed to address these issues.

Neighborhood/Student Groups

Most of the study cities already have some form of neighborhood group that is active in at least one part of the city. These groups can be valuable in addressing public safety issues as they are often the ones who first witness and report any incidents. These groups can work cooperatively with city staff, the police department and the university to find a consensus on important issues. They can also

serve as a well-defined stakeholder group during any neighborhood comprehensive planning process. Columbus Ohio has a University Area Safety Coordinating Committee that is composed of representatives of city, state and local law enforcement agencies, neighborhood organizations and university representatives and students. This committee works specifically on issues of safety in the University area.

Student groups can also be involved in improving safety on and around campus. Besides the committee mentioned above, the Campus Partners Student Advisory Board is student committee at Ohio State University that works on campus projects. Some of their main programs include an adopt-a-street program to help clean up and maintain streets in the university area and a University Area crime stoppers program. This program gives students an opportunity to be involved in the policing of their own community and helps them feel like they are in control of what happens in their neighborhood rather than simply subject to police enforcement.

University/City Police Cooperation

Ohio State's revitalization plan calls for the extensive cooperation of City and University police forces to present a unified front against crime and enforce the student code of conduct more broadly throughout the University neighborhoods. This plan includes information sharing, mutual reinforcement and describes moving beyond cooperation only in emergency situations to a more proactive policing approach that brings the organizations together more frequently.

Community Crime Patrol

Community Crime Patrol is a program that has reportedly met with great success in the area around Ohio State University. This system employs part-time trained citizens who patrol non-high crime areas in teams of two. The teams are equipped with walkie-talkies to communicate with City and University police departments. The program has been successful in preventing crime, apprehending criminals and assisting victims for a comparatively small expense.

General Observations Regarding College/University Neighborhood Issues

Experience working with several neighborhoods located in close proximity to colleges, universities and similar institutional uses yields some important observations. The first observation is that by their very nature the problems and issues these neighborhoods must address are constantly changing. Students come and go, properties change hands, tenants change, policies, procedures and practices change. Consequently, the work in response to the problems unique to these neighborhoods is never done. This is an important realization and it should inform the strategies and action plans prepared and implemented in each community.

The second observation may seem obvious, but it also bears saying, every situation is unique and demands a unique approach. This process has exposed several communities to the tools and approaches followed by others and hopefully some good ideas have been identified, but in all likelihood, the total mix and emphasis of one community's approach cannot be successfully transferred to another community.

The third basic observation is that while the circumstances and conditions in each community will vary and the relative emphasis on the components of the overall strategy will need to vary accordingly, each community will need to take a multi-faceted approach. **Just as there is no single, guaranteed successful strategy, every neighborhood plan will require a coordinated and cooperative plan between the city and institution(s), college and university policies and procedures, local codes and ordinances, inspection programs, housing policies and investment, enforcement and neighborhood organizations.**

Elements of a Comprehensive Strategy:

A. Coordination between the City and the College and/or University

It is highly unlikely that the adverse secondary effects associated with significant numbers of students living in rental units within city neighborhoods, could ever be successfully addressed by either the city or the institution working alone. It isn't impossible, but it is highly unlikely, certainly in any of the communities included in this study.

There are many factors that work against strong, sustained, collaborative campaigns between cities and colleges and universities. For one thing they are completely separate entities, with fundamentally different purposes and legal authority, not to mention distinct leadership, goals, governance and planning structures and autonomous decision-making systems.

This research has not revealed great models for strong, coordinated and ongoing collaborative working relationships between cities and colleges and universities. We believe that these working relationships will be the most difficult to sustain, but also most likely to yield substantial results. Both the communities and the institutions have acknowledged their stake in the success of these efforts and the damage that will result if these problems are not addressed. Both parties understand the risks and results of disinvestments in neighborhoods surrounding colleges and universities. They both understand that they share a strong common interest in preventing blight and the ways in which poor property maintenance, nuisances and property crime adversely affect each of their interests. What is yet to be seen is if they can overcome the obstacles to work together effectively, over a long time period.

It is beyond the scope of this study to describe the precise steps that each city should take with its respective college, or university. Again, each situation is unique and the best strategies in each instance can only be determined after completing some work together. We will, however, describe the basic elements of a collaborative approach and leave it to each community and its college and/or university to chart its own course.

To be successful, the colleges and universities must come together in a neutral setting and put all of the issues and problems on the table. They should work to understand the tools that each can bring to the process and they should work through an action plan to address each issue and problem. It will not be enough to simply work together to prepare the plan, they must also commit to ongoing communication (at all levels), as well as a monitoring process and a shared commitment to stay the course and adapt new strategies and approaches as necessary.

Communication must be the cornerstone of this collaboration. This communication will have to be the antidote to the autonomy of these organizations. Start by clearly describing the problems and desired outcomes and proceed from there to communicate the plan to achieve the desired results. Then share results and shared experiences, both good and bad. Finally, the communication must reinforce the commitment to continue to work together. When it comes to real estate investment and disinvestment perception can often become reality. Both the cities and the colleges and universities have to send a strong and sustained message to both the neighborhood, including students and the market place that they will not abandon the neighborhood.

B. Work with Neighborhood Organizations

A viable and effective neighborhood organization should be an equal participant in communications as mentioned in the previous section. This is an area where very significant differences exist regarding the existence, scope and quality of organizations. Both the cities and the colleges and universities need to understand that they need viable partners in the neighborhoods and they should take the steps necessary to make them effective.

It is not an exaggeration to say that to be effective these strategies will need the three-legged stool of cities, colleges and universities, and neighborhood organizations. Neighborhood organizations are

notoriously inconsistent in quality and leadership. The cities and colleges and universities need to understand they have a strong, shared interest in a representative and effective neighborhood partner. Problems with geographic representation, bias or structure need to be addressed head on at the outset of the process. These things do not automatically get better with time.

The neighborhood organization is in the best possible position to monitor results. They are also a great place for information to be disseminated from and the eyes and ears on the street send a strong message to the market place that this is a good place to invest. Things are under control. Another area in which neighborhood organizations could help greatly is outreach to students. If the neighborhood organizations make a commitment to meet students who are living in their midst and welcome them, it will be harder for the students to justify behaviors that are careless and insensitive. While the best emphasis is likely *welcome and here is how to be involved*, this invitation can also send a clear, non-threatening message that real people live here, with lives and investment and expectations. This is an area that would take energy and courage to sustain, but it could also provide a tremendous lifetime learning opportunity. It is also an area that could and should be strongly supported by the colleges and universities.

C. Regulations, Enforcement

The first part of this report identifies numerous examples of types of codes and ordinances. Many of the communities participating in this study already have regulations in place and their focus may be on ways to modify and improve these tools, as opposed to starting over. Again, each community and neighborhood context is unique, and it will be an ongoing process to adapt their regulations and enforcement programs to each context.

How to pay for inspection programs and enforcement is one of the key questions. Included in the appendices are examples of community programs that included licensing fees and other means of generating the money to sustain the program. This aspect of the process is always challenging, but good examples exist. Finally, and particularly with student behavior, consistency of enforcement will be a key component.

D. City Planning, Redevelopment

In all of the cities participating in this study, the neighborhoods in question are fully developed and mature. One of the basic objectives of community planning is to work to achieve compatibility between different land uses. There are potentially a whole host of changes the city could explore within its comprehensive plan to address neighborhood and college/university compatibility. These potential changes range from policies and implementation strategies (programs), to land use changes, rezonings, park acquisition and improvement, changes in the street system, and physical changes through redevelopment. These types of changes can be relatively modest, or dramatic. Some communities studied took strong stands on housing. Richfield, for example, adopted a practice of purchasing and redeveloping the most blighted and lowest valued unit on a given block and replaced it with the highest valued home on the block. Both Richfield and Brooklyn Park have also implemented programs to favor and support owner occupancy.

Obviously, even more dramatic redevelopment options could also be considered. These are not strategies that we recommend starting with and if they are to emerge they should do so through the process. The support of the neighborhood organization and college and university will be critical to the success of a more ambitious redevelopment project.

In summary, while not likely to be successful as a stand-alone strategy, there are important goals, policies and implementation strategies that can be included within the city's comprehensive plan and/or redevelopment plans. One of the most important ingredients in a successful neighborhood reinvestment strategy is confidence. The city's comprehensive plan can help to bolster confidence by communicating the community's commitment to the neighborhood.

Likewise, with other elements of a comprehensive strategy in place, the city may use its economic development powers to affect positive results and tangible reinvestment in the neighborhood. This

could include the removal of blighting influences. It could include the addition of amenities for the neighborhood, or the addition of land uses that will increase the desirability of the neighborhood. Examples of implementation strategies and programs that have provided incentives for home ownership, for example, have been included for consideration. The City of Richfield stands out as a city that refused to allow its community to sink into decline. Through its Richfield Rediscovered Program, the city has employed multiple programs to remove declining properties and replace them with higher valued units. Over the course of several years and following a sustained commitment, Richfield has reversed the trends of disinvestments and has caused a significant increase in reinvestment and community attitudes.

Brooklyn Park has also adopted several programs to encourage and reward home ownership in its neighborhoods. Examples of these ordinances and programs are attached.

E. College and University Master Plans

Last, but certainly not least among the tools to affect positive change in neighborhoods surrounding colleges and universities are campus master plans. These documents do not need to be limited to physical design plans and can include policy information, references to other programs, campus housing policy, and student codes of conduct (both on and off campus).

Certainly one of the primary issues to be addressed in any campus plan is the question of how to house students. There are examples of colleges and universities around the country that have taken significant steps and made major investments to bring students back on to campus after years of problems in surrounding neighborhoods. Denison University, in Granville, Ohio has just completed a multi-year program to build new student housing. On campus housing is now mandatory at Denison.

Another basis and fundamental component of campus master plans is the direction and nature of physical expansion that is contemplated and the time frames anticipated. It is almost impossible to foster an atmosphere that encourages maintenance and investment in neighborhood housing if there are reasons to believe that the college or university will be acquiring the land for expansion. This is an area where institutions can often not provide certainty, but anything that can be done to reduce the fear of acquisition for expansion should be done within the master plan.

Of course, the master planning process provides a great opportunity for community outreach and communication. There are many examples of university master plans that were never shared with anyone outside the institution. Particularly in situations where considerable neighborhood problems related to college or university housing, or activities exist, outreach, meaningful opportunities for participation and communication are critical components of campus master planning.

2. Mankato hires neighborhood support officer to help deal with nuisance complaints:

2006-07-24

By Dan Nienaber, Free Press staff writer [published in The Free Press, Mankato, MN, 7/21/2006]

Photo by John Cross

One of Chris Boyce's first duties as Mankato's new neighborhood support officer is to help organize this year's National Night Out events Aug. 1. The events include neighborhood cookouts, parades, contests and neighborhood flashlight walks, among other things.

MANKATO — Except for a cleanly wiped drawing board and a few crinkled old maps of Mankato, the walls in Chris Boyce's new office are empty.

There are no community oriented policing awards or pictures of Boyce shaking hands with city officials. The promotional posters for [National Night Out](#) neighborhood picnics or crime free apartments aren't up either, at least not a couple of days ago.

Boyce's co-workers in the [Mankato Police Department](#) have suggested he at least find a plant for the windowless room. He's more concerned about figuring out what his role will be as the city's new neighborhood support officer, a recently created job he is the first to fill.

Those walls will get decorated as his purpose with the police department is defined.

"There's lots of room for growth," he said. "That's the way I look at it."

Fielding nuisance complaints is Boyce's No. 1 priority, a duty that requires him to work closely with police officers, community service officers, firefighters and the [city's Community Development office](#).

Nuisance calls include residents' complaints about a wide range of neighborhood problems, which is why Boyce is called a neighborhood support officer. Those complaints can include reports of barking dogs, loud parties, junk in yards and neighbors renting without a license.

It's going to be Boyce's job to filter through those calls, decide how they should be handled and to follow up to make sure each complaint is addressed. That could mean letting the people making complaints know the city has done what it can, even though the problem hasn't been fixed.

"People can be ticketed and go to court for having a junked motor vehicle in their yard, but that doesn't necessarily mean the junked motor vehicle had been moved," he said.

So he knows another part of his job will be educating people about the city's system for handling complaints, and the limits of the law. But he'll also be finding ways to teach neighbors how to handle problems on their own before getting police or other city officials involved.

That could be as easy as getting to know your neighbors so you feel comfortable telling them their dogs were barking at 2 a.m.

"I just have a belief that a lot of what police work is about is the quality of life in neighborhoods and helping neighbors talk to neighbors," Boyce said. "People don't talk so much anymore, but a lot of problems could be solved with dialogue between neighbors."

That dialogue starts with introductions, then finding ways they can look out for each other, he said.

He will also be working closely with the city's rental inspectors, said Paul Vogel, Mankato Community Development director. A fair portion of the city's nuisance complaints are from people reporting residential properties being rented without a license. Those calls are expected to increase when students return to Minnesota State University and the area's smaller colleges this fall.

One of Boyce's first major public projects is helping plan Mankato's National Night Out events. He'll also be working on the upcoming Senior Expo event that's organized by the Police Department and developing neighborhood watch groups.

"The position was created based on a need to better coordinate neighborhood issues," said Matt Westermayer, Department of Public Safety deputy director. "With the community growing the way it is and the need we were seeing, it was obvious we needed to improve by having someone in that type of position."

Westermayer said Boyce's job hasn't been completely defined yet. It will develop as he starts working with neighborhoods and finds out what things work and what things don't work.

Boyce, who majored in law enforcement and political science at MSU, left his previous job as a YMCA program director to fill the new city position. He's working on getting his master's degree in public administration from the university.

3. Charlottesville Virginia / University of Virginia Shared Property Maintenance Inspector

June 28, 2006

Mr. Leonard W. Sandridge, Jr.
Executive Vice President, Chief Operating Officer
University of Virginia
P. O. Box 400228
Charlottesville, VA 22901

RE: Property Maintenance Inspector contract with the City of Charlottesville

Dear Mr. Sandridge,

This letter is in reference to the contract between the University of Virginia and the City of Charlottesville regarding the University's funding of a Property Maintenance Inspector, employed by the City, to enforce housing codes in the neighborhoods surrounding the University.

The contract period will expire in February of 2007, and the City feels strongly that the position has resulted in mutual benefits to both parties and that the program should be extended to maintain continuity of enforcement in the off-grounds student housing areas. A summary of the inspection program follows.

The inspector, Mr. Cory Jordan, has worked in the Venable, Fry's Springs, JPA, Lewis Mountain Road, Jackson-Via, and Fifeville neighborhoods since June 1, 2005. From February 1, 2005 through June 1, 2005, one of the City's experienced inspectors, Patty Armstrong, worked the same areas while Mr. Jordan was trained in other areas across the City. In December of 2005, Mr. Jordan took and passed a certification exam administered by the International Code Council, and is now a certified Property Maintenance Inspector. In addition, Mr. Jordan has been elected Secretary of the James Madison Region Building and Code Officials' Association (JMBCOA) and is also a member of the Property Maintenance Committee of the Virginia Building and Code Officials Association (VBCOA). These are professional organizations which provide invaluable peer support, including advice on code administration and interpretations of code language, and are therefore a great resource, particularly for a young and therefore necessarily less-experienced code inspector.

In the thirteen months Mr. Jordan has personally spent enforcing codes in the areas surrounding the University, he has fostered positive working relationships with many area landlords as well as working closely with Vicki Hawes of the UVA Off-Grounds Housing Office. These relationships have allowed him to more effectively handle concerns from students and landlords regarding housing issues. Over the course of the entire program, encompassing both inspectors' work, 214 housing-related inspections have been made.

In addition to performing inspections of potential housing code violations, the inspectors also enforce the City's ordinances relating to maintaining and improving the appearance of neighborhoods, including ordinances related to the overgrowth of weeds/vegetation, excessive accumulations of garbage/rubbish, inoperative vehicles, and graffiti. Over the course of the program, the inspectors issued six notices regarding graffiti, 648 notices regarding overgrowth of weeds, 419 notices regarding vehicles, and 1,045 notices regarding trash accumulations. These actions have significantly improved the appearance of the neighborhoods in question, and this work has been complimented by neighborhood associations as well as homeowners who live in these areas.

In addition to responding to student-tenants' concerns and pro-active enforcement of housing codes, Mr. Jordan worked closely with the City Fire Marshal, Steve Walton, to inspect each fraternity and sorority house in the City's jurisdiction during the fall semester, at the request of Dean Laushway of UVA. These joint inspections addressed violations of the Property Maintenance (housing) Code as well as the Fire Prevention Code found within these high-occupancy residences. This program will take place again in the coming fall semester to ensure that these houses continue to be safe for their new and returning inhabitants. As a result of last fall's inspections, the agents representing a few fraternity houses were recently brought to court for failures to comply with the orders of correction issued. These houses are now working to come into compliance by August 30, 2006, the date set by the judge to correct their violations. This is a positive step, since it requires some of the housing corporations which own these structures to immediately make repairs they might otherwise have delayed indefinitely. Some fraternity members themselves have even expressed appreciation for the City's ability to require some improvements be made in the houses which they occupy but whose maintenance is not under their full control.

As noted above, this office feels that the program funding this position should be extended, based on the successes demonstrated so far. The relationships fostered by Mr. Jordan over the last year should not go to waste, and the more time he spends in these areas, the easier it becomes for him to achieve good rates of compliance and ensure the safety and quality of living conditions for UVA students who live in off-grounds housing. In addition, the City feels that the program should be extended for a five-year contract period, which will allow the

inspector the confidence to establish himself as a permanent fixture, further increasing his effectiveness in the area by guaranteeing that he will be reaping the rewards of the good work he does today for years in the future. Such permanence will also help to ensure that property owners respond positively to his enforcement requirements, since they will be aware that they will be working with the same person for years to come.

This program is a great asset to both the City and the University, and its elimination would only serve to give delinquent property owners the upper hand when planning their maintenance standards for the future. On the contrary, continuing the program will reinforce the idea that enforcement of the standards for off-grounds housing will only continue to improve. Those property owners who fail to maintain their housing units will continue to face increasing costs for bringing units into compliance with applicable codes, while those who maintain their units well will continue to attract new tenants and will not face these repair costs.

It is therefore our request that the agreement between the University of Virginia and the City of Charlottesville regarding the funding of a Property Maintenance Inspector be extended for five years under similar terms. Please advise us on your position regarding this suggestion as soon as is convenient for you.

Thank you for helping us to make and keep Charlottesville a World-Class City!

Sincerely,

Jerry Tomlin
Building Maintenance Code Official