



Buffalo-Niagara Falls, NY MSA

Regulatory Order/Family: Traditional/Middle America

Summary

Metropolitan Buffalo's challenge is not managing growth, but rather dealing with population decline and economic stagnation. While losing about 5 percent of its residents between 1982 and 1997, it urbanized less land than any other metropolitan area: about one-tenth of the land consumption of Orlando or Charlotte, for example. Its regulatory framework is dominated by low-density zoning in most of the rural areas with very limited use of any new growth management tools.

Governance Framework and Growth Trends

The Buffalo-Niagara Falls MSA, with 1.2 million residents in 2000, is one of only two metro areas among the 50 largest (along with Pittsburgh) that lost population during the 1990s. Its population declined 1.6 percent in the 1990s after an even more depressed 1980s; in all, the MSA's population dropped by 72,000 (5.9 percent) between 1980 and 2000. Buffalo had fewer than 300,000 residents in 2000, half its peak population around World War II. Only one other city, Niagara Falls, had over 50,000 residents in 2000, and its population also fell significantly in previous decades. There are another 8 medium-sized (10,000-50,000) cities and villages in the region and 17 small ones. Town governments, 41 in all, are responsible for land use regulation outside municipal boundaries. Three towns have populations over 50,000; all of them are more populous than the city of Niagara Falls.

Perhaps because of its long economic malaise, Buffalo has not followed the general trend for slow growing or declining regions to consume huge amounts of undeveloped land. The National Resources Inventory registered an increase in developed land of only about 24,000 acres between 1982 and 1997, the smallest amount among the large metropolitan areas. Since the region's population declined 4.6 percent over those 15 years, its density dropped from 6.2 to 5.3 persons per urbanized acre. Even so, the MSA's rank dropped only from 7th to 8th most dense, placing it between Chicago and Sacramento in the rankings. Private land accounts for 89 percent of the total; most of the remainder is in county or municipal ownership, with 3 percent held in trust for Native American tribes.

Regulatory Environment

We received responses to our survey from 16 cities and villages and 24 towns; these account for 48 percent of the residents and 61 percent of the land area. The two most populous jurisdictions, Buffalo and the Town of Amherst, did not respond to the survey. We did not survey the tribes, and the regional tallies below exclude reservations from the totals (3,100 residents, 900 square miles).

Buffalo is entirely zoned. About 40 percent of the municipalities have low-density-only zoning, and 11 percent would not allow our hypothetical apartment development. Three quarters (77 percent) of towns have low-density-only zoning, and 61 percent would not permit the prototype apartment development. In all, jurisdictions with low-density-only zoning account for 32 percent of the



population and 66 percent of the land area; those that would bar the hypothetical apartment development house 10 percent of the population on 28 percent of the land. About 40 percent of the municipalities and 9 percent of the towns have zoning ordinances allowing more than 15 dwellings per acre.

Comprehensive planning is relatively weak in New York State; zoning ordinances prevail over plans in the event of a conflict between the two. Between 80 and 85 percent of the towns and municipalities in the Buffalo MSA are estimated to have a plan. There is little growth management in the region; about a third of the towns and a small handful of cities or villages may have impact fees on some systems, and a fifth of the towns have an APFO. Containment is practically unknown; one or two jurisdictions have adopted a pace control, but in such a slow growth region such controls are probably mostly symbolic. Between 10 and 15 percent of municipalities and townships have incentive programs for affordable housing.