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New York state urban cultural park system

Jeanne S. Fagan

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NEW YORK STATE URBAN CULTURAL PARK SYSTEM

by

Jeanne S. Fagan

A thesis submitted to the
Faculty of the School of Food, Hotel and Travel Management
at
Rochester Institute of Technology
in partial fulfillment of the requirements
for the degree
of
Master of Science

August 31, 1992
FORM I

ROCHESTER INSTITUTE OF TECHNOLOGY
School of Food, Hotel and Travel Management
Department of Graduate Studies

M.S. Hospitality-Tourism Management
Presentation of Thesis/Project Findings

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ABSTRACT

This study focused upon the New York State Urban Cultural Park System (UCP). An urban cultural park is a designated historical area in a community which has been revitalized to interpret the community’s role in the cultural development of the region and state. Unlike typical green space "parks", the UCP will include the areas where residents work, live and play. The roles of Cultural Tourism and Tourism Development in the UCP were investigated. Interviews of individuals involved in the planning, development and implementation of the UCP were conducted. Site visitations were conducted to several of the UCP communities. The UCP model does have applications to Tourism Development.
Acknowledgments

I would like to sincerely thank all the individuals involved with the New York State Urban Cultural Park System who over a two-year period contributed their time and extensive knowledge. Without their assistance, interest, support, encouragement and questions, this thesis would not have been completed.

The concept for this thesis was the result of collaboration with colleagues. Thank you for the continued encouragement and support. You unrelentlessly listened to ideas and provided the confidence to continue with this project.

My family, Steve, Brett and Bethany, for spending many evenings as a family of three while I was researching and writing (and rewriting) this thesis.
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CHAPTER I
INTRODUCTION

Remember the endless history classes we have all experienced. As a student, whether it be in elementary school, high school or college, you sat in a classroom and listened to the instructor discuss the "wonderful, exciting" past events that have contributed to what you know as life in your state and community today. But often, between the 1850’s and the 1990’s that excitement doesn’t always materialize. In fact, many times, we may not be able to appreciate the contributions that past lives have made to our present quality of life.

Our interactions with history are very similar to the passive and active roles as a passenger and driver in an automobile. You ride in the car as a passenger to a certain destination several times. When you are asked directions to that destination, it may be very difficult to give explicit directions. You had a passive role as a passenger. Yet, if you drive to that destination, it will be more likely that you will be able to provide detailed directions. Our role may be very passive learning through textbooks. We are unable to comprehend all the "landmarks and turns" that are discussed. This role changes dramatically when we have the opportunity to "experience" portions of history.
Many of the social movements which have contributed to what we know as life today have roots in New York State. In Seneca Falls, one is able to visit the sites where the crucial events of the Women’s Rights Movement occurred in 1848 in the Seneca Falls Wesleyan Chapel, the site of the history-making Women’s Rights Convention. Ossining, New York, is the home of much public health and social welfare reform. It is also the home of the infamous Sing Sing Prison.

Another important characteristic of New York State is the variety and abundance of natural resources. The development and the historical role of natural resources have contributed to the New York State in which we live in today. In downtown Rochester, one can walk down a side street after leaving one of the city’s major corporations and experience a spectacular waterfall, known as High Falls. There is the opportunity to see the role that hydropower facilities had in Rochester’s development. This is also the location of Rochester’s Brown’s Race Historic District. Using the interactive displays, one is able to experience Rochester’s natural environment’s role in New York State’s industrial development.

Visiting Saratoga Springs, New York, one has the opportunity to understand how the natural environment affected the way in which leisure time developed. Taste
legendary healing mineral water or experience the relaxing affect of a mineral bath.

Throughout New York State, opportunities are being seized to preserve and interpret our history for the present and the future. Why is Albany the capital of New York State? What role did the Erie Canal play in the development of Syracuse? How did the State’s second largest Broadway Theater District find its home in Buffalo? What role did New York State’s small community of Sackets Harbor have in the War of 1812? Visitations to these and other New York State communities provide experiences that allow us to appreciate history. These experiences reveal why life is as it is in New York State and the contributions New York State made to the development of American Life.

The United States does not have as an extensive history as many of the European countries because our country is much younger. Recently, however, Americans have become increasingly aware that history has not only played a crucial role in our present way of life, but will also contribute to our future.

An unusual phenomenon began to occur in the 1960’s. This was a period in America when significant urban renewal was occurring. New York State also participated in this
trend. During this time, Urban Renewal was envisioned as a program that replaced anything old, specifically in urban areas, with "new and improved". Unfortunately, as a result of this trend, many of New York State's historical structures and landscapes were lost.

One of New York State's neighbors, Massachusetts, experienced the same urban renewal trend. However, in the early 1970's, the National Park Service selected Lowell, Massachusetts, a mill town, as a site for community adaptive reuse. Lowell was representative of historical life in New England. However, Lowell had suffered economic stagnation. The National Park Service saw this as an opportunity to preserve the past for betterment of present and future life.

In the 1970's, New York State legislators became very interested in this development in Lowell. As a result, the New York legislators developed the concept of Urban Cultural Parks (UCP). New York State Urban Cultural Parks would be developed to represent the historical significance of a community within an area where people live, work and play. This concept did not isolate the historical interpretation from present everyday life, but, rather the concept integrates the past with the present.

This research will address the misunderstanding of the Urban Cultural Parks concept. According to the Urban Cultural
Park Program Marketing Plan, June 1989, individuals interviewed defined the Program as:

1. An historic preservation program
2. An economic development program
3. An inner-city revitalization program
4. An eternal revenue source for municipal governments
5. A quality of life, cultural program for communities.
6. An educational program
7. A tourism development program
8. A combination of some and/or all the above

The Program may be defined by any of those concepts. However, depending upon which one or two the community selects, will determine the priorities the program receives. The variable in this program that contributes to this difficulty of how communities view the program, is the fact that the UCP concept is interpreted not only by the Office of Parks, Recreation and Historic Preservation, but also by each State agency that serves on the Advisory Council and also by each community. The confusion revolving around this interpretation is complicated by the fact that key individuals involved in the UCP System have changed over the years. This allows for new individuals to bring new interpretations.
Problem

The problem that is consistently present at every level is the misunderstanding of the role of Cultural Tourism and Tourism Development regarding the Urban Cultural Park (UCP) concept. The presence of this misunderstanding affects the development, implementation and management of the individual Urban Cultural Parks and the System as an entity.

Purpose of Study

The focus of this study will be the New York State Urban Cultural Park System. Most research that has been conducted regarding the UCP Program has been completed by individuals who are directly involved with the development, implementation, marketing, and management of the UCP program. This would include individuals from New York State government, the individual communities, or the consultants being compensated for working with various components of the program (ex. Marketing plan development).

The purpose of this study is to analyze the original intent of the development, implementation and management of the UCP’s in order to determine if it is being implemented and managed as planned. This study will investigate how Cultural Tourism Development might assist the UCP in attaining the Program’s goals. Since the Program is in
early stages of implementation and management, these two areas will require on-going study beyond the scope of this thesis.

The UCP Program is one which will affect an entire state. There have been large financial appropriations for this program both on the State and the local levels and because New York State is in a difficult fiscal situation at the present time, every program within the State is under close scrutiny. Typically, those programs which are least known are the first to be scrutinized. Thus, it is understandable that during this fiscal difficulty the Urban Cultural Program is being carefully examined.

Discussions have also occurred regarding whether or not additional New York State communities should be designated as an UCP. This study will provide information that will assist in determining if, when, and how the System should be expanded.

Another area of interest is the utilization of the New York State UCP Program as a model for the National Park System. The National Park System and New York State Urban Cultural Parks co-sponsored a conference in September 1991 entitled "Partnerships in Parks & Preservation". The purpose of this conference was to investigate the feasibility of
developing a national program with similar goals and objectives to the New York State UCP Program. This study will present research that may assist with this plan development.

The UCP program has the potential to generate positive Cultural Tourism development which will benefit community development. In a time when economic development in communities is of major concern, this program may provide support for tourism, and facilitate its becoming a support industry for communities seeking new sources for economic development. Yet, in order for this to occur, departments and individuals involved in the UCP need to understand the nature of Cultural Tourism and how it may assist in achieving the goals of the UCP, especially economic development.

**Hypothesis**

The hypothesis of this study is that culture is a basis for Tourism development. The New York State Urban Cultural Parks System (UCP) is based upon the culture heritage of New York State and the various communities involved in the System. Therefore, the New York State UCP System Program model should serve well as a basis for community tourism development.
CHAPTER II
REVIEW OF LITERATURE

This chapter will consider the role of Tourism Development in the New York State Urban Cultural Park System. The historical development of the system will be studied including elements such as program legislation, funding and activities to present.

Tourism Development

Tourism, as an industry, has recently received much attention from various constituencies as a means of economic development. As communities have experienced a decline in manufacturing, the service industry has been looked to fill the void. Tourism, in the traditional sense, has been thought of as water parks, theme parks and many times, attractions that were created solely for the purpose of bringing visitors (more commonly referred to as tourists) into an area. This type of tourism was not viewed as a method of improving the quality of life for the residents. One of the bases of this study is that if development of tourism is done in a thoughtful, comprehensive manner, then the end result will mean not only increased economic development for the area but also increased quality of life for the residents.
Tourism development is dependent upon the resource foundations that are available in an area. These resources may be classified into three categories: Natural resources, cultural resources, and nonnatural or noncultural resources (Gunn 116). This study will focus upon the cultural resources which include ethnic areas, historic sites and shrines, architecture, archaeological sites, and the heritage indigenous to the host society. Culture is the totality of man's beliefs, values, and ways of doing things (Parris 1983, p. 9). Using culture as a basis for tourism development makes sense when realizing that tourism is an industry in which one group of people (residents) act as a host and interact with another group of people (visitors). Interaction of different cultures are going to naturally occur. The visitors interacting with employees in retail establishments or at attractions will provide opportunities for individuals from different cultures to interact.

The culture of the host society must be considered during tourism development so that the culture may be protected and/or preserved. Tourism has the ability to become a forum in which the culture of an area may be preserved and communicated to visitors and residents with positive economic impacts. Yet, methods must be implemented to manage visitor impact upon cultural potential. Marketing strategies will be necessary to insure appropriate visitor numbers (Moulin 7).
Tourism development, if approached appropriately, will enhance the quality of life for the residents. This enhancement will include not only the preservation of a "way of life" but it may also provide for the development of recreational and educational opportunities for the community’s residents. Once this has been accomplished, visitors will want to visit communities that are unique. Visitors will search for those destinations that exhibit "a sense of place" (Rosenow 23). Therefore, economic development through visitors’ spending will occur. It is important to note that this economic development will not occur if all that merely occurs is that the residents’ spending is moved from one street to another in the community. The economic development will occur when "new" money is brought into the community by visitors.

This economic development will encourage private investment and can provide a portion of the finances required for the continuation of Historic Development. A community may decide to appropriate a portion of the revenue generated from Tourism to be used specifically for Historic Preservation. This concept will be successful only if the relationship between heritage, culture and tourism development is accepted.

In order for the sense of place development to occur, however, the community must determine what unique qualities
exist in their community. These unique qualities include the natural resources and the elements that contribute to the culture of an area. However, this requires that there be involvement from the local resident constituency. Whenever discussing the development of a community, it must be kept in mind that we are discussing someone's home. If the development is done well, the quality of living should increase. If this occurs, and the destination is unique, then visitors will want to experience the destination. Therefore, it becomes apparent that any type of development in a community must have a "grass roots" component. Evidence of this has not been apparent in any of my research of the UCP System. This may be a contributing factor to the "Them" vs. "Us" theme present in many of the UCP communities.

The type of development that would result from the UCP model would provide: (1) vehicle through which the host society's culture may be preserved when it may otherwise have the possibility of being lost, (2) improved quality of life for residents as well as economic development.

**Historical Development of New York State Urban Cultural Parks**

The concept of Urban Cultural Parks was developed during the 1970's when our communities were experiencing the "urban renewal" phase. During this period, many times urban renewal meant demolishing anything that was old and replacing it with
new. Unfortunately while doing this, portions of the history and heritage of New York State were also destroyed.

During this same time, Lowell, Massachusetts, was experiencing an interesting development. Lowell had been a northern mill community where textiles was the major manufacturing product. Lowell had experienced the same economic depression as had many manufacturing communities such as Buffalo, Syracuse, and Detroit. The National Park Service recognized the uniqueness of the Lowell community. This community represented much of the historical fabric of what made New England what it is today (Massachusetts report 6). There were mill buildings, equipment and other significant structures still intact. In the early 1970’s, the local government, the state government and the National Park Service decided that by financially investing for adaptive reuse in this community the result would be two fold. First, this investment would assist in the revitalization and preservation of the area’s history. Secondly, this investment would be a development technique for a visitor attraction. This visitor attraction would enhance economic development for the area. The National Park Service initial investment was $40 million (Harley, 1992). In 1990, it was estimated that the total investment was $350 million, representing a combination of public and private contributors. The Park enjoys visitor attendance in excess of one million people per year (Battaglino, 1990). The
development of Lowell was the beginning of what is now known as the heritage park system in Massachusetts.

Legislators in New York State became very interested and excited about the Lowell Historical National Park. They saw this as a concept that would be applicable in New York State. There are two primary development differences between the two concepts. The first difference is that Lowell had been nationally initiated and New York State was to be state initiated. The second was that Lowell had been conceptualized as a one park concept. From the beginning, the New York State model was to be developed as a System with several parks. In 1977, the New York State Legislators mandated the development of a plan to establish a statewide system of Urban Cultural Parks (Bray 1990). This System was to be a component of a larger effort by the New York State government to accomplish community revitalization.

The consulting firm of Lane/Frenchman, Inc., from Boston, Massachusetts, was contracted to create a Plan for the design and development of an Urban Cultural Park System. This consulting firm worked in cooperation with Office of Parks and Recreation. This Office was responsible for the administration of the UCP Plan. In 1981, Lane/Frenchman, Inc., presented the Summary Plan and the Technical Plan.
This Plan defined an Urban Cultural Park as:

"An Historic Area of special or social significance combined with a revitalization process to utilized that area to enhance the community in which it is located. Qualifying areas are urban settings of special coherence, consisting of buildings and/or natural features which played a key role or date from a generative period in the cultural development of the surrounding region, the State." (Technical Plan, 1981)

This System was envisioned to be a group of "partnership parks". The partnership would be established between New York State government, the local community government, and private community.

These partnership parks were to fulfill four goals during the revitalization process (Technical Plan, 1981). Preservation of historic settings, natural features and unique character; Education of residents and visitors about the locale’s history, contribution to New York State’s culture and the relationship to current life; Recreational use for active and passive enjoyment; and Economic Development through private investment in adaptive reuse, interpretive attractions and other special activities (Technical Plan, 1981). It was hoped that this economic
development would be initiated through investment by the public sector (New York State and the local government) which would encourage investment by the private sector. During Phase I, while Lane/Frenchman, Inc. were preparing this plan, there were applications by 200 communities to become pilot UCPs (Technical Plan, 1981). From these, 39 communities were recommended as feasible candidates for the Urban Cultural Park Program. These communities ranged from small villages to major cities. The resources included ranged from definable historic districts to areas that spanned across several communities. The 39 communities were invited to submit a "work program" - a plan to plan. (Technical Plan, 1981).

Nine themes were selected to represent New York State's heritage (Technical Plan, 1981):

Natural Environment
Defense
Maritime Trade
Business and Capital
Roads, Railroads, and Canals Labor and Industry
Immigration and Migration
Reform Movements
Flowering of Culture
Each park within the system was to emphasize one of these themes. Although, it was possible for other themes to be present, one theme was to be dominant. All themes were to be represented in the System.

While designing the New York State Urban Cultural Park System, it was decided that the State would be divided into seven "Urban Cultural Regions" (Technical Plan, 1981). There was to be at least one park in each of these regions. These regions include:

- New York City
- Hudson River Valley
- Hudson-Mohawk
- Erie Canal Corridor
- Niagara Frontier
- Southern Tier
- North Country

The second phase of the Urban Cultural Park planning process included three components that were to be accomplished (Technical Plan, 1981). The first component was the analysis of potential parks. The communities that were selected as part of the "pilot program" were to prepare Feasibility Studies and Early Action Projects. These would be evaluated and it would be determined which were
appropriate and what further action was necessary for the plans to be implemented.

The second component included the coordination of supportive programs. A Commissioner’s Advisory Council was created so that the efforts of state agencies could be coordinated. These state agencies were to be involved in supporting pilot community efforts and reviewing development of the System plan. This Council was to be comprised of representatives from the following agencies: Department of Banking, Department of Commerce (now the Department of Economic Development), Department of Education, Department of Environmental Conservation, Office of General Services, Division of Housing and Community Renewal, Office of Parks and Recreation, Department of State, Department of Transportation, and Urban Development Corporation.

Lastly, the second phase concluded with the third phase of the development of a plan for the Urban Cultural Park System. This plan included the method for State organization, management, and financial analysis and development. In order for this phase to be implemented, it was necessary for intensive technical assistance and liaison between the State and individual communities (Technical Plan).
As a result of the invitation to 39 communities, sixteen work programs were submitted in 1979 (Hunneyman 1990). Each community outlined what would be included if their community were selected as a pilot Urban Cultural Park. From these, thirteen pilot areas were selected. These pilot areas included 21 communities. The communities were provided grants for the development of the feasibility studies (Palm 1991). These feasibility studies were completed in December 1980.

Each of the feasibility studies included (Technical Plan, 1981):

* A boundary definition with a description of resources. This description was to include the resources that were to be within the park including location, condition, historical and cultural significance.

* An explanation of how the four UCP goals were to be achieved.

* An analysis of alternative park development and interpretive programs.

* An implementation plan outlining what public investment was necessary.

* A proposal for park management.

* A plan to insure that historic preservation would occur.

* A description and analysis of the social and economic impacts anticipated from the development of the Urban Cultural Park.

Eleven communities submitted these feasibility studies (Technical Plan, 1981). As a result, it was apparent that
the UCP concept was feasible and that the need for financial support was present.

These eleven communities were selected as the participants in the pilot program. New York City and the previously legislatively designated area of Hudson-Mohawk (Troy, Green Island, Watervilet, Cohoes, and The Town and Village of Waterford) were also included resulting in a total of 13 pilot areas. (See Table 1).

The original selection process for the UCP System did not include Albany, the State Capital (Lattey 1990). This oversight was rectified, and Albany was included in 1985 representing the theme of Business and Capital (Osterhout-Kess, 1990).

The working relationships between the pilot communities (local level) and the State would be critical to the continuation of this program. After the selection process, the communities were required to establish local advisory councils. These local councils were to fulfill the same functions at the local level as the Commissioner's Advisory Council on the State level. Representatives to the local council would include private developers, local educational and financial institutions, property owners, and business owners within the park area. The coordinating activities of
these councils were the responsibility of the office of the chief elected official, usually the mayor.
Original Communities and Designated Themes

Table 1

<table>
<thead>
<tr>
<th>Community</th>
<th>Theme</th>
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<tbody>
<tr>
<td>Buffalo</td>
<td>Flowering of Culture</td>
</tr>
<tr>
<td>Hudson-Mohawk (Riverspark)</td>
<td>Labor and Industry</td>
</tr>
<tr>
<td>Kingston</td>
<td>Transportation</td>
</tr>
<tr>
<td>New York City</td>
<td>Maritime Trade and Immigration</td>
</tr>
<tr>
<td>Ossining</td>
<td>Reform Movements</td>
</tr>
<tr>
<td>Rochester</td>
<td>Natural Environments</td>
</tr>
<tr>
<td>Sackets Harbor</td>
<td>Defense</td>
</tr>
<tr>
<td>Saratoga Springs</td>
<td>Natural Environment</td>
</tr>
<tr>
<td>Schenectady</td>
<td>Labor and Industry</td>
</tr>
<tr>
<td>Seneca Falls</td>
<td>Reform Movements</td>
</tr>
<tr>
<td>Susquehanna</td>
<td>Immigration and Migration</td>
</tr>
<tr>
<td>Syracuse</td>
<td>Business and Capital</td>
</tr>
<tr>
<td>Whitehall</td>
<td>Defense</td>
</tr>
</tbody>
</table>
Lane/Frenchman, Inc., conducted analyses of three types of system structures for the Urban Cultural Parks. They recommended a hybrid system. This system would provide strong state assistance for "major" parks, each representative of one of the cultural themes and lesser support to the additional parks up to a maximum of 20 parks. This type was selected because it appeared to contain the best balance between the need for adequate coverage of the historical themes and resources and the need to focus the system on a limited number of parks to maximize the state financial assistance.

The Technical Plan was designed to provided the basic conceptual and working framework for the UCP System. It describes, in detail, what the role should be of each pilot community in implementing the system. One of the prevalent theories of the UCP System plan is that the State will provide a "central" role in establishing the System and "seed" money, but the majority of the responsibility for UCP planning, development and management will be that of the community.

Program Legislation

While the Technical Plan was being finalized, legislation was being presented to New York State Legislature for approval (Bray 1990). The enactment of this legislation
in 1982 (See Appendix A) established the framework for the Urban Cultural Park System. It was decided that the Urban Cultural Park Program, due to its strong emphasis on preservation, would be managed by the Office of Parks, Recreation and Historic Preservation. Included in this legislation were also the definition and purposes of the Urban Cultural Park, the goals that were to be fulfilled, the description and composition of the Advisory Council, the designation of the 13 original communities to be included in the System, and the management plan criteria that must be met in order for the communities to remain Urban Cultural Parks. Grant funding formulas and technical assistance were also addressed in the 1982 legislation.

The original legislation was amended in 1987 (Osterhout-Kess 1991). The amendment addressed a change in the composition of the Advisory Council and created more explicit time requirements in reference to the submission and acceptance of the Management Plan.

**Urban Cultural Park Funding**

There has been basically two sources of State funding for the development of the UCP System. The first one is that of Local Assistance (Battaglino 1990). During the fiscal years of 1984-85, 1985-86 and 1987-88, a total of $6 million
dollars was appropriated. These funds were to be allocated according to established funding formulas. The intent of the formulas was to assist communities with financing and to encourage private investment (Battaglino 1990, State Legislation 1982). For capital improvement, including "bricks and mortar", the formula is 10% State Grant, 10% Municipality match, 80% other (private funds, federal funds or in kind services).

Interpretive programming, marketing programs or promotion would be funded with 25% State grant and 75% other. Lastly, local assistance funding would be utilized for planning. These costs would be funded with 50% State and 50% other (local funding or in kind services). This was intended to assist the communities with the development of the required management plan.

In addition to the $6 million allocated for local assistance, an Environmental Quality Bond Act (EQBA) was approved in 1986. This EQBA included a total of $20 million allocated toward the Urban Cultural Park System. Visitor Information Centers were to be funded 100% with $16 million. The remaining $4 million was to be utilized with a 50%/50% match for various resources and projects within realm of the Visitor Information Centers (Battaglino 1990).
In 1990, another Environmental Quality Bond Act was proposed to New York State voters. This EQBA had additional funds allocated for distribution to the Urban Cultural Park System. It was not approved. Currently, the System is allocating the final portion of the original funding (Osterhout-Kess 1992).

**Activities to Present**

By 1987, legislation had been enacted to create the Urban Cultural Park system, a Director of Urban Cultural Parks had been appointed, the Urban Cultural Park Advisory Council had begun meeting on a regular basis, and State funding had been appropriated for the support of this newly developed system (Palm 1991).

In 1988, a consultant firm, Manning, Salvage and Lee were contracted to develop marketing plans for the individual Urban Cultural Parks and for the System as an entity. These plans were submitted for approval in 1989 (Lattey 1990).

Development of the UCP Visitor Information Centers have been the focus of activity for the New York State Office of Parks, Recreation and Historic Preservation. The goal of the Visitor Information Centers (VIC) is to interpret the UCP community for the visitor so that they will be better prepared venture out into the community and understand the
significance of what they are seeing. At the conclusion of 1991, five VICs were completed and opened. These included Seneca Falls, Albany, Ossining, Schenectedy, and Whitehall. It is proposed that all VICs will be opened by the conclusion of 1993.

**Summary**

This chapter has included a review of the role that Tourism Development may play in the UCP System. Specifics involving the UCP System's historical development, legislation, funding, and the status of Visitor Information Centers were also explained.

The next chapter will focus upon the specific methodology that was utilized for this study.
CHAPTER III
PROCEDURES

This chapter will outline the procedures that were utilized to secure the data presented in this thesis, which was a descriptive study. Primary research activities were conducted between February 1990 and January 1992. The research revolved around the development and implementation of 14 New York State Urban Cultural Parks.

Various techniques were utilized during this research project. Personal interviews, visitation to various UCPs and review of appropriate literature were the significant methods.

Personal Interviews/Site Visitations

Much of what has occurred regarding the UCP System has not been systematically recorded. This research was unable to secure documents that outlined and explained the process by which the UCP system was conceptualized, developed and implemented. Therefore, it was necessary to initiate this research by questioning individuals currently involved in the UCP. From these individuals, it was determined who else has been a key contributor in the development of the UCP. These individuals also provided much of the written documentation concerning the UCP.
Visitations to several of the UCPs including Albany, Buffalo, New York City, Riverspark (Troy), Rochester, Sackets Harbor, Saratoga Springs, Seneca Falls, and Syracuse were also conducted.

Research, personal interview and visitation to an Urban Park in San Diego, California was completed. This provided an opportunity to compare another state's approach to the development and management of an Urban park.

Research and interviews were conducted regarding Lowell, Massachusetts, the community that provided the impetus for the development of the UCP System.

Attendance at five UCP Advisory Council meetings also assisted in the research.

Secondary Sources of Information

In addition, considerable secondary research was conducted utilizing sources such as UCP development materials such as the Summary Plan and the Technical Plan, New York State legislation, New York State budgets and minutes from the UCP Advisory Council Meetings. Literature regarding Cultural/Heritage Tourism in other countries such as Australia, India, and England was reviewed.
Questions Asked of all Interviewees

Interviewees included individuals involved in the UCP in the past and present. The attorney responsible for drafting the UCP legislation, a principal from the consulting firm that developed the UCP Technical Plan, a principal from the consulting firm that developed the marketing plans for the UCP System, members of the original and current UCP advisory councils, past and current directors of UCP, current coordinators in UCP communities, and a representative from the Department of Economic Development, Division of Tourism.

The objective of the interviews was to determine what role the funding formulas had in actually fulfilling the goal of attracting private investment thereby creating the partnership as conceptualized in the UCP Plan. An other objective was to determine awareness of Tourism and the role that Cultural Tourism and Tourism Development could fulfill in the planning and implementation of the UCP.

The interviews were conducted from February 1990 to January 1992. The majority of the interviews were held at the office of the interviewee. However, secondary interviews were conducted by phone. On the average, each interview were completed within one hour.
1. Has the funding from New York State been the impetus and incentive for the development occurring in your community? Would the development have occurred if this funding were not available?

2. What role has the historic preservation funding incentive formulas (those determined by the 1986 EQBA) had in attracting private developers? How effective have these formulas been in assisting your community with the UCP development and implementation?

3. How has the "Partnership" concept been working? Do you receive the assistance you deem necessary from the State offices to implement the UCP in your community?

4. What role has Tourism development had in the development and implementation of the UCP?

5. What has been your experience regarding the community support and knowledge regarding the UCP?
CHAPTER IV
DATA ANALYSIS

The findings presented in this chapter will relate back to the problem and questions that have been researched. The misunderstanding of the Urban Cultural Park concept has affected the implementation, development and management of the Urban Cultural Park System in New York State.

Findings

Question 1: Has the funding from New York State been the impetus and incentive for the development occurring in your community? Would the development have occurred if this funding were not available?

1. It was found that the amount of financial incentive will be dependent upon the size of community, the size of the cultural, heritage project (park) both in physical area and financial requirements. According to the respondents, many of these projects would have been undertaken regardless of the State contribution. The result of this has been that several of the UCP’s view the State funding as just another "source of funding" rather than a dedicated attempt at creating an Urban Cultural Park System. Reviewing early marketing
programs of a few of the Parks, it is apparent that
the Urban Cultural Park System is not the main
focus. For example, Rochester's UCP advertising
will be for the High Falls not the Urban Cultural
Park. In fact, there was much controversy between
the State and the local management team regarding
the type of signage that was to be utilized in the
Rochester area. The local team did not want to
utilize the signage that has been adopted for the
Urban Cultural Park System. One of the
justifications provided was that the amount of
funding provided by the State was only a very small
portion of the total cost of the project.

In Buffalo, the UCP is located in the downtown
theatrical district. This district had been
selected for major renovations and revitalizations
prior to the UCP System. Individuals living in
this area are very familiar with the Theater
District and Buffalo Place. However, when asked
about the UCP in Buffalo, most didn't know where it
was located or that one even existed.

Question 2: What role has the historic preservation
funding incentive formulas (those
determined by the 1986 EQBA) had in
attracting private developers? How
effective have these formulas been in assisting your community with the UCP development and implementation?

2. The individuals interviewed have found the Historic Preservation funding incentives provided by State government as insufficient, too restrictive or cumbersome in their administration to be an incentive for private developers. This refers to the matching formulas that are in place for capital improvement (10%, 10% and 80%) and interpretive programming (25% and 75%). Depending upon the size of the community and project, the community finds it difficult to find a private developer willing to invest in a historic preservation/restoration project and abide by the necessary historic preservation regulations.

The developer may determine that the profit incentive is not present because the cost of the preservation is much more than new construction. This finding is one of the factor that has attributed to the slow implementation of the UCP System.

Question 3: How has the "Partnership" concept been working? Do you receive the assistance
you deem necessary from the State offices to implement the UCP in your community?

3. Conceptually, this System was to be one of "Partnership Parks". However, in many communities, rather than a partnership atmosphere, it is more prevalent to have a "them" (the State) and "us" (the community). A top down environment has been prevalent throughout the development, implementation and management of this System. This structure has not been conducive to the creation of a true partnership.

While interviewing key individuals in Sackets Harbor, this type of atmosphere was referred to several times. The local team indicated that the UCP was to be developed in the town where they lived and therefore, they should have the final determination regarding the site and design of the UCP Visitors Center. However, in order to be eligible for any funding, there are certain requirements which must be met. There came a point during the negotiations regarding the site and design of the Visitor Center in Sackets Harbor that neither the State nor the Village were convinced that Sackets Harbor would remain a member of the
UCP System. Fortunately, this conflict has been resolved. This type of difficulty is not uncommon.

An experience in New York City indicated this same type of attitude. I had the opportunity to meet and briefly interview the Director of the UCP in New York City in March 1990. (The Director has since changed). When questioned regarding the role of the State in the New York City UCP, the Director provided a very brief and curt response, that the size of this project was such that New York State fulfilled a very minor role other than to provide some funding and a number of regulations that were difficult to meet.

Question 4: What role has Tourism development had in the development and implementation of the UCP?

4. Interviewees indicated that the role of Tourism has been more of an afterthought than one which has been consistently integrated into the development and implementation of the UCP. The first indication is that the System is located in the Office of Parks, Recreation and Historic Preservation. The Department of Economic
Development, Division of Tourism does maintain a seat on the UCP Advisory Council. However, this does not insure the necessary communication. The Department of Transportation, Department of Environmental Conservation, Department of Education and several other State agencies are represented on this Council. This Council does not (nor should it) interact with the day to day operations in the development and implementation of the UCP System. Therefore, the Division of Tourism is unable to have the input that is necessary to influence this system through Tourism Development.

Another indication has been the reaction received as I have attended various meetings and interviewed individuals. Participants in the meetings and interviews were unsure as to why someone studying Tourism would be conducting extensive research into the UCP System.

Question 5: What has been your experience regarding the community support and knowledge regarding the UCP?

5. Reviewing the minutes of Advisory Board meetings and interviews with various individuals indicate that there was much enthusiasm and support of this
System at the onset. It appears as though the time element has worn away some of that enthusiasm and support. This may have been the result of the fact that many individuals involved were hopeful that significant tangible results would occur more quickly than was feasible.
CHAPTER V
SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

Summary

This study focused upon the New York State Urban Cultural Park System (UCP). An urban cultural park is a designated historical area in a community which has been revitalized to interpret the community's role in the cultural development of the region and state. Unlike typical green space "parks", the UCP will include the areas where residents work, live and play. The roles of Cultural Tourism and Tourism Development in the UCP were investigated. Interviews of individuals involved in the planning, development and implementation of the UCP were conducted. The UCP model does have applications to Tourism Development.

The UCP model provides for a structure for plan development. It provides guidelines as to a process that could be undertaken for heritage assessment of a community. The result within a UCP community will be the preservation and interpretation of the unique heritage and culture. Recreational activities for visitors and residents will result. The combination of the preservation of culture and the development of recreation provides drawing power for visitors. These visitors' spending will contribute to the community's economic development.
However, certain structures and processes should be reviewed prior to attempting to utilize this model in other areas.

Each UCP affects the development of a community. One of the purposes of this development has been for economic development. In order for this economic development to occur, it is necessary to bring "new" money into the area. The economic development goal will not be achieved by simply moving money from one street to another street in the community. Therefore, it is critical that a strong liaison exist between the Office of Parks, Recreation and Historic Preservation and the Department of Economic Development, Division of Tourism. There is not evidence of that strong liaison at this point.

Conclusions

The hypothesis of this study has been that culture (Historic Preservation) is a basis for Tourism Development. The New York State Urban Cultural Park System is based upon cultural heritage of New York State and the various communities involved in the System. Therefore, the UCP system model should serve well as a basis for community tourism development.
As a result of the research conducted, it does not appear that Tourism Development has been considered as a vehicle through which to develop, implement or manage the UCP System. Tourism has been viewed, and this has only been recently, only as a method through which to participate in State Tourism advertising.

Tourism development has not been one of the major contributing factors to the development and implementation of the UCP System. This recommendation was made in the Marketing Study that was completed by Manning, Salvage, and Lee (1989).

The four goals of the UCP System are preservation, education, recreation and economic development. A Program such as the UCP that was viewed as a method for Tourism development would allow each of these goals to be fulfilled.

Funding structures for the UCP have not necessarily been viewed as incentives. This type of program cannot be looked at only as a Historic Preservation program. The restrictions placed upon developers and communities who utilize the Historic Preservation funds may present too many obstacles for effective completion of a project. Instead, Historic Preservation utilized with Tourism development may
be more attainable. In fact, Tourism Development may provide financial stimulation to assist in the continuation of Historic Preservation.

There has been a decline in the enthusiasm and support throughout all the involved constituencies. To many this program has seemed as one that was well conceived and it has taken far too long to see any tangible results. Partnered with this concept, is the one that once all the Visitors Centers are complete, the incentive and momentum of the program will continue to diminish. One of the problems that is evident is the number of the UCPs that were first designated. This is a very complicated, intricate program to attempt for the first time with 14 parks and 22 communities involved. Presently, there are only 2 full-time professional staff members at the state level. At the different communities, the method in which the staffing is fulfilled varies. However, most of the UCP’s experience that the staff are individuals whose responsibilities are shared with other positions in the community. It becomes apparent the difficulty that will be presented in attempting to implement and manage a program with 22 unique communities involved.

Every community in New York State is experiencing a difficult economic climate. Any program within the State or the individual communities is going to need to be accountable for its contribution to the economic vitality of the
State/Community. This contributes to the rationale that a plan modeled after the UCP Plan should have Tourism Development as an integral portion of the plan.

Recommendations

1. The partnership which is established should include the state and local governments, private developers but also the residents of the community being considered as a potential UCP. If economic development is to be attained, as previously discussed, new money must be brought into the community. This will be achieved with visitors’ spending. However, the community should be knowledgeable and participate in the plan development. The residents’ way of life as well as the heritage and culture of an area become the basis of the cultural tourism. In addition, it will be the residents that will be interacting and serving the visitors in the community. Resident support and knowledge of a community’s cultural development is essential for the successful visitor experience.

2. There should be a unified effort between Historic Preservation and Tourism during the development of a plan, if indeed, economic development is one of the objectives. This partnership should not occur after
the "product" (the UCP) is developed, but rather during the development phases. Perspectives and expertise of both partners will contribute a successful plan development and implementation. Each will have concerns which need to be addressed prior to the completion and implementation of the plan.

3. The NYS UCP System was a very ambitious undertaking including 22 communities and 14 parks. It is recommended that other destinations considering the adoption of the UCP model consider the implications of attempting to develop and implement that many and diverse UCPs. It is recommended that a fewer communities be selected so that efforts are not diluted.

4. The funding formulas presented in the Legislation for the UCP should be reviewed and revised. It does not appear that they have in truth been incentives for the development of UCP, but rather just another source of funding for a project that would have been undertaken regardless of the UCP funding. The result may be that the UCP concept may get lost in favor of the concept with the larger funding sources.
5. The staffing at the State level and in the individual communities was an issue that was continually mentioned. Realistic goals and plans must be developed reflecting the actual staff that is available to manage the project. There is a concern regarding the lack of full-time staff at the State level. In addition, the communities must address appropriate staffing for the development, implementation and management of an UCP. If an UCP is to become a significant contributor to economic development, the State and community must consider making human resource investments.

6. Proposals must be considered that will assist in determining the actual economic development of a UCP. The UCP, at this point, does not have the credibility of possessing any substantial contribution to the community or the State. Therefore, it is a program that is likely to undergo close scrutiny. It is imperative that the partners involved (State and local government, private developers and residents) attempt to develop a method by which UCP is accountable for the financial support that it receives.

7. Creative procedures should be investigated for the funding of historic preservation and tourism
development. These methods will be resultant of the economic development that is created by cultural tourism within a community.

8. Educational programs addressing the relationship between Cultural Tourism and Historic Preservation should be developed. These programs are necessary if there is to exist understanding and support of the development and implementation of plans such as the UCP. Understanding of this concept is necessary for residents, tourism professionals, historic preservation specialists and private developers.
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APPENDIX A

TITLE G—URBAN CULTURAL PARKS

ARTICLE 31—GENERAL PROVISIONS

Sec.
31.01 Definitions.
31.03 Declaration of policy.

§ 31.01 Definitions

Whenever used in this title, unless a different meaning clearly appears from the context, the terms listed below shall have the following meanings:

1. "Advisory council" shall mean the state urban cultural park advisory council established under article thirty-three of this title.

2. "Urban cultural park" shall mean a definable urban or settled area of public and private uses ranging in size from a portion of a municipality to a regional area with a special coherence, such area being distinguished by physical and cultural resources (natural and/or man made including waterways, architecture, or artifacts reflecting a period of style or cultural heritage) which play a vital role in the life of the community and contribute through interpretive, educational and recreational use to the public. An urban cultural park may include traditional parks (pleasure grounds set apart for recreation of the public) and historic places or property on the national or state register of historic places but the term urban cultural park shall not be deemed to mean a park or historic place as those terms are used in other provisions of law including those relating to alienation of park land and regulation of public or private activities. Such other provisions of law shall continue to apply to the specific parks and historic places within an urban cultural park.

3. "Management plan" or "plan" shall mean a document prepared in conformance with the provisions of section 35.05 of this title which includes, but is not limited to, a comprehensive statement in words, maps, illustrations, or other media of communication, setting forth objectives, policies, and standards to guide public and private uses for the preservation, interpretation, development, and use of cultural, historic, natural, and architectural resources of an urban cultural park.
§ 31.01 PARKS, REC. & HIST. PRESERVATION

4. "State designated urban cultural park" shall mean an urban cultural park designated in section 35.03 of this title for its statewide significance.

5. "State agency" shall mean any state department, agency, board or commission of the state, or a public benefit corporation or public authority at least one of whose members is appointed by the governor.

Added L.1982, c. 541, § 3; amended L.1982, c. 542, §§ 1, 2.

Historical Note

1982 Amendment. Subd. 3. L.1982, c. 542, § 1, eff. July 20, 1982, inserted "shall mean a document prepared in conformance with the provisions of section 35.05 of this title which".

Subd. 5. L.1982, c. 542, § 2, eff. July 20, 1982, added subd. 5.

Effective Date. Section effective July 20, 1982, pursuant to L.1982, c. 541, § 11.

§ 31.03 Declaration of policy

The urban areas of the state are rich in cultural and natural resources of statewide significance associated with our growth and attainments over time. These resources offer educational, inspirational and recreational benefits for present and future generations. It is hereby declared to be the policy of the state to preserve these resources through their identification, interpretation, development and use in a system made up of state designated urban cultural parks.

It is further the policy of the state to improve and coordinate the plans, functions, powers and programs of the state, as they affect its urban cultural and natural resources, in cooperation with the federal government, regions, local governments and other public and private organizations and concerned individuals.

Added L.1982, c. 541, § 3.

Historical Note

Effective Date. Section effective July 20, 1982, pursuant to L.1982, c. 541, § 11.

Short Title. Section 2 of L.1982, c. 541, eff. July 20, 1982, provided: "This act [adding this section and sections 31.01, 33.01, 33.03, and 35.01 to 35.15; amending sections 852, 854 and 858 of the General Municipal Law and section 6252 of McKinney's Unconsolidated Laws; repealing section 3.21; and enacting provisions set out as notes under this section and section 31.03] shall be known as the 'urban cultural parks act.'"
Legislative Findings; Declaration of Purpose. Section 1 of L.1982, c. 541, eff. July 20, 1982, provided:

"Legislative findings and declaration of purpose. The legislature finds that there are historic settings in large and small urban areas across the state where natural features, historic events of trends and the record of the people who lived there combine to reveal a special character that reflects man's important attainments from the past to the present time. These areas represent important chapters of cultural development in the state's history. It is the state's interest to protect, preserve, enhance and promote the natural and cultural resources found in significant historic settings that reveal the state's heritage.

The legislature further finds that through the application of contemporary approaches of preservation, development and use including adaptive reuse, these historic settings offer important educational, recreational, scenic and economic benefits today and a legacy for future generations. The traditional notion of an urban park is hereby broadened from one tied to a limited area of open space to the idea of a park as an amalgam of historic, natural and architectural resources embracing man's total surroundings. This new concept of an urban park shall be known as an urban cultural park.

"A plan for a statewide system of urban cultural parks called for by chapter seven hundred twenty-seven of the laws of nineteen hundred seventy seven has identified historic settings representing urban settlements of statewide significance that should make up such a system. The planning effort pursuant to such law has demonstrated the increased public awareness in the state's urban heritage, significant potential for tourism development related to the state's urban heritage, opportunities for private investment and major environmental, social and economic benefits that can be derived from a statewide system of urban cultural parks.

"Despite the opportunities identified in such planning process and the commitment of local citizens and governmental bodies, significant historic development and use including adaptive settings may be jeopardized. Continued state and local action is needed to derive the many benefits possible for present and future generations from these historic settings.

"It is the purpose of this act providing this section and sections 31.01, 31.04, 33.03, and 35.91 to 35.15; amending sections 852, 854 and 858 of the General Municipal Law and section 8252 of the Unconsolidated Laws; repealing section 3.21; and enacting provisions set out as notes under this section and section 31.01] to establish a system made up of state designated urban cultural parks for the protection, preservation and enhancement of the natural and cultural resources found in historic settings of statewide significance through cooperation and partnership between state and local levels of government and with private interests, and that public policy should promote this objective."

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§ 33.01 PARKS, REC. & HIST. PRESERVATION

ARTICLE 33—STATE URBAN CULTURAL PARKS ADVISORY COUNCIL

Sec.
33.01 New York state urban cultural parks advisory council.
33.03 Jurisdiction, functions, powers and duties.

§ 33.01 New York state urban cultural parks advisory council

There shall continue to be in the office an urban cultural park advisory council which shall consist of eleven members or their designated representatives. The commissioner shall be a member of the advisory council, shall coordinate the functions and activities of the office with those of the advisory council and shall serve as its chairman. In addition, the advisory council shall consist of the following ten other members: the commissioner of commerce, to advise and assist regarding related tourism and economic revitalization; the commissioner of education, to advise and assist regarding the interpretive and educational aspects of the programs; the secretary of state, to advise and assist regarding matters of community development and state planning; the commissioner of transportation, to advise and assist regarding matters of transportation to and within cultural parks; and six members to be appointed by the governor with the advice and consent of the senate, four of whom shall be from the executive department, state agencies or public corporations, and two of whom shall be, by training, experience or attainment, qualified to analyze or interpret matters relevant to the establishment and maintenance of urban cultural parks. Of these last two, one is to be recommended by the speaker of the assembly and one is to be recommended by the majority leader of the senate. No member shall receive any compensation, but members who are not state officials shall be entitled to actual and necessary expenses incurred in the performance of their duties.

Added L.1982, c. 541, § 3.

Historical Note
§ 33.03 Jurisdiction, functions, powers and duties

In addition to any other powers, functions and duties conferred upon it by this title, or other provisions of law, the advisory council shall:

1. Meet at least twice each year to provide information and review the activities of the office conducted pursuant to this title.

2. Assist as specified in this title in coordinating state actions with the objectives of the system of urban cultural parks, and to assist and make such recommendations as are necessary to carry out the purposes of this title.

3. Review complaints made by local governments or other entities established by law to administer urban cultural parks relating to activities undertaken by state agencies which may adversely affect urban cultural park resources and make recommendations with respect thereto.

4. Submit reports to the governor, not less than once a year, concerning progress toward implementing the urban cultural parks system, including recommendations for the future.

5. Exercise and perform such other advisory functions, powers and duties related to the planning, development and management of the urban cultural parks system as may be requested by the commissioner.

Added L.1982, c. 541, § 3.

Historical Note

Effective Date. Section effective July 20, 1982, pursuant to L.1982, c. 541, § 11.
ARTICLE 35—STATEWIDE SYSTEM OF URBAN CULTURAL PARKS

§ 35.01 Establishment of a statewide system of urban cultural parks

In accordance with provisions of this title there is hereby established a statewide urban cultural parks system to consist of state-designated urban cultural parks that reflect the cultural themes of the state's development and will provide educational, inspirational, economic and recreational benefits for present and future generations.

Added L.1982, c. 541, § 3.

Historical Note

Effective Date. Section effective July 26, 1982, pursuant to L.1982, c. 541, § 411.

§ 35.03 State designated urban cultural parks; boundaries

1. The legislature hereby designates the following historic settings of the state that have been identified for their statewide significance in the plan for a statewide system of urban cultural parks prepared pursuant to chapter seven hundred twenty-seven of the laws of nineteen hundred seventy-seven and that upon completion of a management plan and its approval by the commissioner, shall be state designated urban cultural parks:

(a) The cohesive geographical area within the city of New York, including lower Manhattan or portions thereof and appropriate coastal portions of Brooklyn and Staten Island, associated with and revealing of the development of maritime trade and commerce.
(b) The cohesive geographical area within the village of Ossining, Westchester county, associated with and revealing of the nineteenth century public health and prison reform activities;

(c) The cohesive geographical area of the city of Kingston, Ulster county, associated with and revealing of the growth and prosperity of a river port shaped by regional modes of transportation;

(d) The Hudson-Mohawk urban cultural park established by the cities of Troy, Cohoes, Watervliet, the villages of Green Island and Waterford and the town of Waterford and recognized by section 13.27 of this chapter;

(e) The cohesive geographical area of the city of Saratoga Springs, Saratoga county, associated with and revealing of its development as a nineteenth century health and cultural resort;

(f) The cohesive geographical area of the city of Schenectady associated with both the city's settlement in the seventeenth and eighteenth centuries and its growth as a center for electrical and broadcasting development;

(g) The cohesive geographical area of the village of Whitehall, Washington county, associated with and revealing of its crucial role during the French and Indian Wars, the American Revolution and the War of 1812 and with the development of the American Navy;

(h) The related and cohesive geographical areas of the cities of Binghamton, Johnson City and Endicott, Broome county, associated with and revealing of immigration, migration and the region's industrial development during the nineteenth century;

(i) The cohesive geographical area of the city of Rochester, Monroe county, including the Genesee River Gorge associated with and revealing of the periods of the cities' growth related to use of the river;

(j) The cohesive geographical area of the village of Seneca Falls, Seneca county, associated with and revealing of the community's place in the development of the women's rights movement;

(k) The cohesive geographical area of the city of Syracuse, Onondaga county, including Hanover and Clinton Squares associated with and revealing of the growth of business and finance;
The cohesive geographical area of the city of Buffalo, Erie county, associated with and revealing of an historic role as a center for entertainment and culture at the frontier; and

The cohesive geographical area of the village of Sackets Harbor, Jefferson county, associated with and revealing of the community's role as the headquarters for the defense of the American northern frontier.

2. The boundaries for each state designated urban cultural park shall be the boundaries depicted on the map accompanying each such management plan upon its approval by the commissioner. The commissioner, with the approval of the local legislative body of a city, town or village where the property to be added or removed is located, may amend or revise state designated urban cultural park boundaries after their initial approval after publication of a revised drawing or other boundary description in the state register. Boundary maps for each state designated urban cultural park shall be kept on file at the office of parks, recreation and historic preservation and at the office of the county clerk where the state designated urban cultural park is located.

3. Any area designated to be a state designated urban cultural park under subdivision one of this section, that has not had a management plan approved by the commissioner within three years of the effective date of this section shall be considered as no longer so designated. In each case where such a three year period expires, the commissioner shall notify the governor and the legislature in writing of the reasons why a management plan was not approved.

4. The commissioner, in cooperation with the advisory council, may on an ongoing basis, evaluate areas of the state as potential locations for state designated urban cultural parks with regard to their statewide significance and the policies of this title. He may establish guidelines for evaluating eligibility including the statewide significance of the resource and the local capability to participate in a state-local partnership for management of a state designated urban cultural park. Recommendations of areas identified as eligible as state designated urban cultural parks shall be submitted by the commissioner to the legislature with the commissioner's evaluation of such areas. Any area designated an urban cultural park subsequent to the effective date of this section that has not had a management plan ap-
proved within three years of the date of this designation shall be considered as no longer so designated. In each case where such a three year period expires, the commissioner shall notify the governor and the legislature in writing of the reasons why a management plan was not approved.

Added L.1982, c. 541, § 3; amended L.1982, c. 542, § 3.

Historical Note

1982 Amendment. Subd. 3. L.1982, c. 542, § 3, eff. July 20, 1982, in sentence beginning "Any area designated" substituted "this section" for "this designation" following "effective date of"; and in sentence beginning "In each case" inserted "governor and the".

§ 35.05 Management plan

1. For each area designated in subdivision one of section 35.03 of this article the commissioner shall request preparation by the appropriate local governmental entity a comprehensive management plan as hereinafter provided. The commissioner shall fully cooperate and be consulted in preparation of such plan and shall assure that relevant private interests are consulted. Such plan shall be deemed to be the plan for both state and local government. Each such plan shall be completed and submitted to the commissioner for his approval within three years of the area's designation.

2. The commissioner may require the chief executive officer of each local government with general jurisdiction over all or a portion of a designated area to identify a local official or local agency to be the agent for the local government in coordinating the preparation of the management plan and to appoint a local urban cultural park advisory committee representative of local civic, commercial, historic preservation, educational, recreational and conservation interests to advise the commissioner and local government during preparation of the management plan. At least one public hearing on a draft management plan shall be held in each designated area.

3. The local legislative body of each city, town or village within a designated area including the board of estimate and the
city council in the city of New York must approve the management plan before it is submitted to the commissioner for its approval. Each such plan shall be completed and submitted to the required local legislative bodies for approval and to the commissioner within forty-five days of the local approval.

1. Management plans shall be the fundamental document defining the goals and boundaries for each state designated urban cultural park, and the means for the park's implementation and management. A management plan for a state designated urban cultural park shall include, but need not be limited to:

   (a) The boundaries of the park set forth in text and depicted on a map. Areas or zones within the park shall be identified for particular nature and intensity of use including those zones most appropriately devoted to public use and development by state or local government; and private use. Boundaries shall be located as deemed necessary or desirable for the purposes of resource protection, scenic integrity, and management and administration in furtherance of the purposes of this title and the estimated cost thereof;

   (b) An inventory and designation of the natural and cultural resources within the urban cultural park;

   (c) Statement of the goals and objectives of the urban cultural park;

   (d) Identification of the types of uses, both public and private, to be accommodated and their linkages to the overall statewide system of urban cultural parks;

   (e) Identification of properties, if any, to be acquired;

   (f) Description of the interpretive and educational exhibits and programs to be undertaken;

   (g) Description of the program for encouraging and accommodating visitation to the urban cultural park;

   (h) An economic assessment of the long and short term costs and benefits related to the establishment, operation and maintenance of the urban cultural park, including comprehensive estimate of the costs of implementing the management plan identified by source of funding and specifically delineating expected state, local, federal and private contributions;

   (i) Description of the techniques or means for the preservation and protection of the natural and cultural resources within the park including the means such as appropriate local legisla-
tion for designation and protection of historic properties or natural areas to assure that future local actions will be consistent with established and agreed upon preservation standards or criteria;

(j) Description of the organizational structure to be utilized for planning, development and management of the urban cultural park, including the responsibilities and interrelationships of local, regional and state agencies in the management process and a program to provide maximum feasible private participation in the implementation of the management plan. Such organizational structures may include but not be limited to utilization of existing state and local agencies for administrative and finance purposes through contracts and letters of agreement between state and local agencies or, where necessary, proposed legislation for new entities to administer and finance implementation of a management plan; and

(k) A schedule for the planning, development and management of the urban cultural park.

5. Each management plan must demonstrate that the capability exists at the local level to implement and manage the urban cultural park including, but not limited to, the ability to:

(a) Accept and disburse funds;

(b) Acquire, improve, and dispose of property;

(c) Manage, operate, and maintain appropriate urban cultural park facilities identified as being of local responsibility without state financial assistance; and

(d) Promulgate and enforce land use and preservation criteria and standards as required to protect the resources within each urban cultural park.

6. Selected individual requirements or portions thereof for the management plan submissions may be waived by the commissioner provided that prior submissions to the office during a previous planning process are judged to provide sufficient data to fulfill the purpose of the management plan, except that in no case shall the requirements of paragraph (h) of subdivision four or of subdivision five of this section be waived.

7. The commissioner shall review and approve acceptable management plans for state designated urban cultural parks and proposed changes or amendments to a previously approved management plan. Such approval shall be based upon the plan's
consistency with the policy and goals of this title generally and particularly to its attainment of resource protection and the provision of educational, recreational, preservation, economic and cultural benefits for the public at large. The commissioner shall tender in writing such approval or a denial of approval with written reasons therefor within ninety days after receipt of the locally approved management plan or change or amendment thereto. If there has been a denial of approval, a revised management plan, change or amendment may be submitted to the commissioner.

8. Approval of the management plan by the commissioner shall:

(a) Establish eligibility for the receipt of acquisition, development and programming assistance from the state within the defined urban cultural park boundaries;

(b) Establish those properties defined in the management plan as significant for consideration for eligibility for the state register of historic places; and

(c) Require, for continuance in the program, appropriate local action to protect and safeguard the defined resources in the urban cultural park.

9. The commissioner may, after holding a public hearing in the state designated urban cultural park subject to review, withdraw his approval of a management plan where he finds that the local government with immediate general jurisdiction over all or a portion of such urban cultural park has taken actions which have had a significant adverse impact upon urban cultural park resources or has generally failed to implement its role under a management plan. When approval has been withdrawn, the park shall no longer be deemed to be state designated. The commissioner shall report such withdrawal of approval to the governor and the legislature stating the reasons for such action.


Historical Note

1982 Amendment. Subd. 1. L.1982, c. 542, § 4, eff. July 20, 1982, in sentence beginning “For each area” substituted “request preparation” for “cause to be prepared”; and in sentence beginning “Each such plan” substituted “his” for “its”.

Subd. 3. L.1982, c. 542, § 4, eff. July 20, 1982, in sentence beginning “The local legislative” inserted “including the board of estimate and the city council in the city of New York”; and in sentence beginning “Each such plan” deleted “within
three years of an area’s designation” following “bodies for approval”.


Subd. 7. L.1982, c. 542, § 4, eff. July 20, 1982, omitted sentence which read: “A management plan shall be deemed to be an agreement between an appropriate local entity and the state and both local approval as set forth in subdivision three of this section and approval by the commissioner shall be required before the management plan becomes effective; provided, however, approval by the commissioner shall not be complete and final until the funds necessary for immediate state investment under the management plan are appropriated therefor, and certified as available for expenditure by the director of the budget and unless state funds identified in the management plan for expenditure in future years are specified as contingent upon future appropriation, and certification for expenditure by the director of the budget.


§ 35.07 State agencies; coordination and cooperation

1. The commissioner, in carrying out his functions and responsibilities under this title, shall consult with, cooperate with, and, to the maximum extent practicable, coordinate his activities with other interested state agencies.

2. The following officers of state agencies with program responsibilities that affect aspects of the interpretation, preservation, development and use of urban cultural park resources shall prepare a program statement which shall detail actions in the areas of planning, development, use, assistance and regulation that can support and assist the establishment and management of state urban cultural parks:

(a) Commissioner of parks, recreation and historic preservation regarding the state historic preservation program and for outdoor recreation;

(b) Commissioner of commerce regarding the state tourism program and economic development activities;

(c) Commissioner of environmental conservation regarding the management of natural resources within state urban cultural parks;

(d) Commissioner of education regarding educational resources and their interpretation;

(e) Commissioner of transportation regarding access an transportation within state designated urban cultural parks;
§ 35.07 PARKS, REC. & HIST. PRESERVATION

(f) Secretary of state regarding neighborhood preservation programs, the coastal zone management program and other planning and community development programs administered by the department of state;

(g) Commissioner of the office of general services regarding the management and disposition of state property;

(h) Commissioner of the division of housing and community development regarding housing and neighborhood programs;

(i) Director of the office of urban revitalization regarding its activities for the revitalization of urban areas.

Such statements and revisions thereto shall be submitted to the board.

3. Where there is an approved management plan in effect, any state agency conducting, funding or approving activities directly affecting an urban cultural park shall consult with, cooperate with, and coordinate its activities with the office and the appropriate local government. Any such state agency shall conduct or support such activities in a manner which is, to the maximum extent practicable, consistent with the approved management plan and reviews to determine consistency of state proposed actions with individual management plans. The urban cultural park program shall be incorporated as part of the reviews of actions pursuant to the state environmental quality review act \( \text{1} \) as provided in article eight of the environmental conservation law and the New York state historic preservation act of 1980.\( \text{2} \) The office shall review and comment in writing upon the statement and effects on a state designated urban cultural park or the urban cultural park program, made pursuant to section 8-0109 of the environmental conservation law or section 14.09 of this chapter.


\( \text{1} \) ECL § 8-0101 et seq.

\( \text{2} \) L.1980, c. 354. L.1980, c. 354, added Article 14 of this chapter, comprising sections 14.01 to 14.09; Public Buildings Law Article 4-B, comprising sections 40 to 64; and General Municipal Law Article 5-K, comprising sections 119 aa to 119-cc; amended section 1.03 of this chapter; and enacted provisions set out as notes under sections 14.01 and 14.09 of this chapter.

Historical Note

1982 Amendment. Opening par. 1, 1982, c. 542, § 5, eff. July 20, 1982, deleted "and maintain by making timely revisions," following "re-
§ 35.09 Acquisition of property

The acquisition of interests and rights in real property for urban cultural park purposes of preservation, education, recreation or economic development within any state designated urban cultural park shall constitute a public purpose for which public funds may be expended or advanced.

Added L.1982, c. 541, § 3.

Historical Note

Effective Date. Section effective July 20, 1982, pursuant to L.1982, c. 541, § 11.

§ 35.11 Grants and technical assistance

1. Within the amounts appropriated and available therefor, the commissioner may award a grant or grants to local governments or other appropriate entities for planning, design, acquisition, development and programming of urban cultural parks. The sharing limitations under this section shall not apply to any other state grant program or assistance which may be available to state designated urban cultural parks.

2. Planning grants may be made by the commissioner to communities identified under section 35.03 of this title. Such planning grants to municipalities will be for the purpose of assisting localities to prepare management plans and may cover up to fifty percent of the management plan cost. The state share must be matched by local funds or approved in-kind contributions.

3. Acquisition and development grants may be made by the commissioner to local governments or to other entities as authorized following approval of a management plan for the urban cultural park for which the grant will be used. Such grants shall be for the purpose of implementing the urban cultural park program in conformance with the approved management plan and may be used for project design, acquisition and development.
of real property and interests therein. No such acquisition or
development grant shall exceed ten percent of the total project
cost for which it is awarded and furthermore, local contributions
must equal or exceed such grants.

3-a. Program grants may also be made by the commissioner
to such local governments or authorized entities to develop and
present interpretive exhibits, materials or other appropriate
products in the furtherance of the educational and recreational
objectives of the urban cultural parks program and to encourage
urban revitalization of, and reinvestment in, urban cultural park
resources. Program grants may cover up to twenty-five percent
of the estimated project cost, and the state share must be
matched by local funds or other non-state funds.

4. The commissioner may contract with state agencies to
provide for projects, services and programs which encourage ap-
preciation of urban cultural park resources or for any planning,
transportation, or other services necessary to carry out the pur-
poses of this title.

5. The commissioner shall, to the extent practicable, provide
technical assistance in areas including recreation and preserva-
tion planning to management entities implementing a manage-
ment plan.


§ 35.13 Local or regional urban cultural parks

The legislature finds and declares that the urban cultural park
approach to the identification, preservation, development and
use of the important natural and historic resources in urban set-
tings is a valuable means to increase public educational and rec-
reational opportunities and generally enrich the quality of life
within a community. Therefore, the commissioner and officials
of other state agencies may encourage local efforts to establish urban cultural parks around urban cultural park resources of local or regional significance. The commissioner may relate or integrate local and regional urban cultural parks into a statewide system of state designated urban cultural parks.


Historical Note

1982 Amendment. L.1982, c. 542, § 8, eff. July 20, 1982, in sentence beginning "Therefore, the commissioner" substituted "may" for "shall"; and in sentence beginning "The commissioner may" substituted "The commissioner may relate or" for "To the fullest extent practicable, the commissioner shall relate and" and inserted "designated".

Effective Date. Section effective July 20, 1982, pursuant to L.1982, c. 541, § 11.

§ 35.15 Preservation of urban cultural park resources

1. The commissioner shall establish, with the advice of the advisory council and the local officials from communities designated in section 35.03 of this title, standards and criteria for preservation of resources within urban cultural parks.

At least one public hearing shall be held to solicit comment on the proposed standards and criteria prior to their adoption.

2. Concurrent with the approval of management plans the office shall determine that local governments in each urban cultural park have enacted preservation measures sufficient to insure that these standards shall be achieved.

Added L.1982, c. 541, § 3.

Historical Note

Effective Date. Section effective July 20, 1982, pursuant to L.1982, c. 541, § 11.
entitled. The commissioner shall certify to the comptroller the amount thus determined for each county as the amount of state aid to be apportioned to such county.
(Added L.1985, c. 779, § 2)

Effective Date; Rules and regulations. Section 6 of L.1985, c. 779, provided: "This act [enacting this section, section 21.07 and State Finance Law § 92-n and amending sections 2222 and 2231 of the Vehicle and Traffic Law] shall take effect on the first day of September next succeeding the date on which it shall have become a law, except that section two [enacting this section] shall take effect immediately for the purpose of developing regulations, rules and procedures within the office of parks, recreation and historic preservation to carry out the purposes of this act."

TITLE G—URBAN CULTURAL PARKS

ARTICLE 33—STATE URBAN CULTURAL PARKS
ADVISORY COUNCIL

§ 33.01 New York state urban cultural parks advisory council

There shall continue to be in the office an urban cultural park advisory council which shall consist of nineteen members or their designated representatives. The commissioner shall be a member of the advisory council, shall coordinate the functions and activities of the office with those of the advisory council and shall serve as its chairman. In addition, the advisory council shall consist of the following eighteen other members: the commissioner of commerce, to advise and assist regarding related tourism and economic revitalization; the commissioner of education, to advise and assist regarding the interpretive and educational aspects of the programs; the secretary of state, to advise and assist regarding matters of community development and state planning; the commissioner of transportation, to advise and assist regarding matters of transportation to and within cultural parks; the president of the New York state urban development corporation, to advise and assist regarding matters of economic development; the commissioner of environmental conservation, to advise and assist regarding matters of conservation and use of natural resources; the chairman of the state board for historic preservation, to advise and assist in matters regarding historic preservation, the commissioner of housing and community renewal to advise and assist regarding neighborhood and community development and preservation programs and ten members to be appointed by the governor, [three of such members shall be municipal officers, elected officials or representatives of local government interest and seven of such members shall be, by professional training or experience or attainment, qualified to analyze or interpret matters relevant to the establishment and maintenance of state designated urban cultural parks. Of these last seven, two are to be appointed from names recommended by the majority leader of the senate, two are to be appointed from names recommended by the speaker of the assembly, one is to be appointed from names recommended by the minority leader of the senate and one is to be appointed from names recommended by the minority leader of the assembly. The governor may designate such ex officio members who shall be from the executive department, state agencies or public corporations as he deems appropriate, provided that such ex officio members shall not vote on matters before the advisory council. Of the ten members appointed by the governor, any members appointed before the effective date of this amended section shall have a term of three years; four other members shall have a term of four years and the remaining members shall have a term of five years. Each of
such appointed members shall hold office for the term for which he was appointed, which shall begin to run from June ninth, nineteen hundred eighty-six, and until his successor shall have been appointed or until he shall resign. The term of office of successor appointees shall be five years. No member shall receive any compensation, but members who are not state officials shall be entitled to actual and necessary expenses incurred in the performance of their duties.

(As amended L.1986, c. 141, § 1; L.1987, c. 82, § 1.)

1987 Amendment.    L.1987, c. 82, § 1, eff. May 22, 1987, in sentence beginning "Each of such" inserted "; which shall begin to run from June ninth, nineteen hundred eighty-six," and added sentence beginning "The term of":    

1986 Amendment.    L.1986, c. 141, § 1, eff. June 9, 1986, provided that the advisory council consist of the commissioner and eighteen members; increased the number of members appointed by the governor from six to ten; provided that the following be members of the council: president of the state urban development corporation, commissioners of environmental conservation and housing and community renewal, and the chairman of the state board for historic preservation; and added sentences beginning "Of these last seven"; "The governor may"; "Of the ten members", and "Each of such".

ARTICLE 35—STATEWIDE SYSTEM OF URBAN CULTURAL PARKS

§ 35.03. State designated urban cultural parks; boundaries

1. The legislature hereby designates the following historic settings of the state that have been identified in their statewide significance in the plan for a statewide system of urban cultural parks prepared pursuant to chapter seven hundred twenty-seven of the laws of nineteen hundred seventy-seven and that upon completion of a management plan and its approval by the commissioner, shall be state designated urban cultural parks:

(a) The cohesive geographical area within the city of New York, including lower Manhattan or portions thereof and appropriate coastal portions of Brooklyn and Staten Island, associated with and revealing the development of maritime trade and immigration;

[See main volume for text of (b) to (m)]

(b) The cohesive geographical area of the city of Albany, Albany county, including the Hudson River waterfront, associated with and revealing an historic role as a geographical crossroads and capital city.

[See main volume for text of 2]

3. Any area designated to be a state designated urban cultural park under subdivision one of this section, that has not had a management plan approved by the commissioner within four years of the effective date of this section shall be considered as no longer so designated. In each case where such a four year period expires, the commissioner shall notify the governor and the legislature in writing of the reasons why a management plan was not approved:

[See main volume for text of 4]

(As amended L.1985, c. 115, § 1; L.1985, c. 376, § 1; L.1986, c. 141, § 2.)

1 Former section 3.21.
§ 35.05. Management plan

1. For each area designated in subdivision one of section 35.03 of this article the commissioner shall request preparation by the appropriate local governmental entity of a comprehensive management plan as hereinafter provided. The commissioner shall fully cooperate and be consulted in preparation of such plan and shall ensure that relevant private interests are consulted. Such plan shall be deemed to be the plan for both state and local government. Each such plan shall be completed and submitted to the commissioner for his approval as provided in subdivisions three and four of section 35.03 of this article.

[See main volume for text of 2 to 3]