



The Land Use Bulletin

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Dear Friends,

Time and money: two things I usually don't have a lot of to spare. Last week, returning from a visit to northwest Iowa, I was grateful for enough spare change to fill the gas tank and enough spare time to take my favorite route: back roads. No particular set of back roads, really. As long as they're roads I've never traveled, they automatically qualify as favorites.

Back roads are a great way to learn about Iowa's past, present and future. Sure, there's less traffic, and you don't see a lot of Caseys or Walmarts. But most importantly, you see things you'd never see if you stayed on the main route. In the case of my most recent, turtle-paced trip, I saw:



- ◆ a quaint little sawmill,
- ◆ a farm selling free-range eggs,
- ◆ nearly two dozen pheasants on one short stretch of road,
- ◆ a struggling town with beautiful old stone buildings made from a nearby quarry,
- ◆ a couple of charming creeks that don't even appear on the map, and
- ◆ literally hundreds of abandoned farmsteads.

Traveling Iowa's back roads provides an apt metaphor for the work of 1000 Friends of Iowa. As an organization, we are traveling a road that's new and unfamiliar. We've only just been born. We're struggling to learn how to walk, and hope to grow to the point where we can be a beacon of light for a new direction for land use in Iowa. We're challenging our fellow Iowans to take a new path, one with some risk but tremendous potential. There is comfort in the knowledge that other states have followed similar paths and met with success. But as Iowans, we still have to take the first step ourselves—and whatever other steps are needed to bring about comprehensive reform of our approach to land use planning.

On behalf of 1000 Friends' staff and board of directors, I want to thank those of you who have joined our organization. Your support is making a difference as we move from walking to running. If you have been receiving this publication and have not yet accepted our invitation to become a member, this will probably be your last issue of the Land Use Bulletin. As much as we'd like to continue to send the Bulletin to all interested parties, fiscal constraints won't allow it.

So please, accept our invitation to join us on a road less traveled! Fill out the membership form on page three today. For \$100, become a Founding Friend, if at all possible, so we can truly be 1000 Friends of Iowa. Thanks, and feel free to call me at (515) 243-8828 or our staff at (515) 288-5364 if you have any comments, questions or suggestions.

Sincerely,

The mission of 1000 Friends of Iowa is to educate the citizens of our state about the long-term benefits of halting urban sprawl, conserving and protecting our agricultural and natural resources, and revitalizing our urban neighborhoods.

1000 Friends of Iowa

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WEBSTER COUNTY CENTURY FARM UNDER ATTACK

by Kristi and Dave Castenson

We are trying to hold on to our Century Farm against the city of Harcourt, which wants to put a human waste lagoon on our property. The city has a willing seller south and east of town, but they still insist on taking our farm.

In March 1997, we were quietly informed of the city's plans. One official told us, "You know how the government works. They just come in and take your land and there is nothing you can do about it." The next day, we were told to get an attorney. With the help of our lawyer, Leonard Holland, we found an old territorial law on condemnation of land. It stated that if an orchard or outhouse were located on the land, it could not be condemned. So we planted three fruit trees and put up a port-a-pot.

Then the city moved the proposed site 100 feet west, in a flood plain, and we argued that the lagoon would be too close to our machine shed. So a third and fourth option have now been proposed on our property, none on the land of the willing seller. At this point, the City has spent close to \$170,000 and has yet to nail down a specific site.

This whole ordeal has been a terrible disruption of our lives. When first confronted by the city, we promised we would leave no stone unturned to protect our Century Farm. We don't owe anyone a human waste lagoon on our property. Our home and our farm deserve better.

CRESCO FARMERS BATTLE CONDEMNATION

Even though he's a former flier himself, Jim Sobolik is strongly opposed to a proposed airport expansion on his 2000 acre farm. The current airport averages less than one flight per day. An expansion would cut his farm in half, and "virtually shut down our family operation," says Jim. The plan would also close an important farm-to-market road used by many local farmers.

Jim points out that there are five larger airports within an hour of Cresco. He and other expansion opponents feel it's being pushed to benefit one local business, Featherlite, to the detriment of everyone else.

CONDEMNATION BILL PASSES, BUT PLEASES FEW

After extensive changes in both the House and Senate, a condemnation bill (HF 476) passed and was sent to the Governor. It is still unclear whether the Governor will sign the bill. In its final amended version, the bill doesn't really accomplish a lot. It limits the condemnation of farmland for private development purposes, bike trails, and housing developments. But condemnation is still allowed for industrial projects or for "essential public purposes," such as highways, sewage lagoons, airports or lakes. In the end, very few farmers will find that they are protected from condemnation.

HF 476 also failed to satisfy the biking and hiking public. During the final weeks of the session, people raised a clamor over the bill's anti-trail provisions. An eleventh hour compromise was rejected, and the bill as it stands prevents condemnation for a trail. But given the fact that condemnation is rarely used to acquire land for trails, it remains unclear how much impact the new law will have on future trails.

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Some of the bill's strongest opponents were city and county governments. Even cities and counties with no plans to develop farmland worry that the bill's provisions relating to notification of condemnation and reimbursement for moving expenses might hamstring legitimate urban redevelopment projects.

While there was a lot of pressure to pass the bill from certain special interests, there was a general feeling among many lawmakers that HF 476 was putting the cart before the horse. Many lawmakers felt it would have made more sense to pass comprehensive land use legislation before dealing with side-bar issues such as condemnation and annexation.

THIS ISSUE'S ENCLOSURE:

"The Hunter's Shrinking Habitat," reprinted from "Outdoor America," a publication of the Izaak Walton League of America, Spring 1999.

COMPREHENSIVE PLANNING BILL ADVANCES

The most significant piece of land use legislation in the 1999 Legislative session was SF 293, as amended by S-3158. The bill passed two Senate committees and received extensive subcommittee work. It remains eligible for debate by the full Senate next January when the General Assembly reconvenes.

The bill creates the "Land Development Management Act," whose purpose is to preserve agricultural, natural, cultural, and historical areas, and to provide for the orderly development of cities. The bill requires every county and each city within that county to cooperatively adopt a strategic development plan. These plans and all annexations must be submitted to the state land use planning board. Senators who worked on the bill agree that, while significant progress was made, there's still a long way to go before all the kinks are worked out.



TAX INCREMENT FINANCING (TIF)

While broad changes to Iowa's TIF laws were proposed, in the end, HF 776 made one small modification. Cities and counties are now required to file an annual report detailing their use of TIF. The report must include the purpose of the TIF district, when it was established, the expiration date, the economic results of the use of TIF, and other relevant financial data. While a very small step, HF 776 will increase public awareness of the use of TIFs.

PROTECTING THE LOESS HILLS

HF 218 passed and presently awaits the Governor's signature. The bill creates the Loess Hills Preservation and Development Alliance. The Alliance is granted the authority to obtain voluntary conservation easements, but more detail on the process will be worked out by the Legislative Council over the interim.

HISTORIC TAX CREDITS

HF 482 establishes a state historic tax credit program, providing \$10 million to encourage revitalization of homes and commercial buildings built before 1935. The bill was discussed in the House Ways and Means Committee and, while it never came up for a vote, is likely to be considered when the legislature reconvenes in January. Tools such as this can be very important for encouraging urban redevelopment.

ANNEXATION

Many rural residents from around the state have asked for changes in Iowa's involuntary annexation laws. While several bills were filed and one (HF 112) passed out of committee, none became law. The pressure continues to build to do something to address people's concerns on this issue. Ideally, annexation would be addressed in the context of broader planning legislation. At present, it's anyone's guess what might happen next session on this issue.

Clip and mail with your check, payable to 1000 Friends of Iowa. Please help us reach our goal of enrolling 1000 Founding Friends by the end of 1999. A donation of \$100 or more designates a Founding Friend, but any donation is welcome! Your contribution is tax-deductible.

1000 Friends of Iowa

Enclosed is my check for \$ _____

MEMBERSHIP CATEGORIES

| | | | |
|-----------------|-----------|---------|------------|
| Student/Senior | ___ \$20 | Patron | ___ \$250 |
| Individual | ___ \$35 | Silver | ___ \$500 |
| Family | ___ \$45 | Gold | ___ \$1000 |
| Organization | ___ \$100 | Steward | ___ \$2500 |
| Founding Friend | ___ \$100 | Other | ___ |

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now's the time to join!**

1000 FRIENDS TO CO-SPONSOR DES MOINES FORUM

On May 27th, 1000 Friends of Iowa, The Downtown Partnership, and several other groups will co-sponsor an all-day forum focusing on the relationship between a strong downtown and a strong region. The forum poses the question: Is downtown revitalization an answer to urban sprawl? The program includes lunch and costs \$75.

The keynote speaker over the noon hour will be John O. Nordquist, mayor of Milwaukee, Wisconsin and Chairman of the Congress on New Urbanism. His presentation discusses Milwaukee's successful downtown revitalization effort, which has fueled people's interest in not merely working downtown but living there as well. Other speakers include Des Moines Mayor Preston Daniels, Patrick Loonan from the Capital City Partnership in St. Paul, Minnesota, Thomas Kane of the Des Moines Metropolitan Planning Organization, Dr. James Throgmorton of the University of Iowa, and Dr. Glen Holt with the St. Louis, Missouri Library System.

For further information or to register, please call (515) 243-6625. To register online, point your browser to: www.desmoinesdt.com.

FACTS & FIGURES

On the upside...

- ◆ In "the Netherlands and Denmark...bicycles account for 30% and 20% respectively of daily trips in cities." (From "Crossing the Threshold," by Lester Brown, World Watch Magazine, March/April 1999, p. 16.)
- ◆ Last November, voters in 31 states were presented with 240 ballot measures to increase spending for conservation, parks, and smart growth initiatives. Of these, 72% passed, including \$7.5 billion to help support these initiatives.

...and on the downside

- ◆ In China, urban sprawl and erosion have consumed 35 million hectares of farmland between 1950 and 1990, as much as all the farmland in Germany, France, and the United Kingdom combined. (From "What We Need to Survive," by Mark Hertsgaard in *The Boston Sunday Globe*, January 24, 1999, quoting Mr. He Bochuan, a professor at Sun Yat-sen University in Guangzhou and the author of *China On The Edge*.)
- ◆ "In London, the average speed of a car today is little better than that of a horse-drawn carriage a century ago." (From "Crossing the Threshold," by Lester Brown, World Watch Magazine, March/April 1999, p. 16.)