



# THE LAND USE BULLETIN

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## A GLANCE AT LAND-USE AND THE 2002 IOWA LEGISLATIVE SESSION

The Iowa Legislature is seeing action this year on several issues of interest to 1000 Friends of Iowa members. Already, a bill expanding eligibility for the state's **historic tax credits** program has received unanimous support in the House Ways and Means Committee. The bill, HF 2035 (by Grundberg and others), allows banks and insurance companies to access the credits, which means projects in Dubuque (Walsh Store Building) and Des Moines (Masonic Temple) will be able to benefit from the program. In the future, this law change is likely to help many other worthy projects as well.

Concern about **tax increment financing** (TIF) continues to grow. Several bills have been introduced that attempt to rein in some of the abuses. Much of the discussion focuses on allowing school districts to keep revenue they currently lose to a TIF district (HF 2210 by Finch, for example). It is too early to say whether or not any action will be taken on TIF bills. The issue is complicated, and while support for change is bipartisan, a critical mass of lawmakers do not yet understand the extent of the problem.

A minor change in the composition of **zoning commissions** was recently approved by the Iowa House. In counties without zoning, HF 2135 (by Van Engelenhoven) requires that a member of the board of supervisors be included in a city's zoning commission if that city decides to exercise its zoning authority in the two-mile area surrounding the city. Currently, two residents of the unincorporated area serve on the city's zoning commission. HF 2135 replaces one of those two members with a supervisor.

The most significant land-use proposal before the session this year is HF 2178 (by Carroll and others), a **comprehensive planning** bill whose companion in the Senate is SF 2088 (by McKean and others). The bill requires cities and counties to plan cooperatively for twenty years worth of growth. In putting together strategic development plans, cities and counties will try to protect prime farmland while encouraging revitalization in existing urban areas. As we go to press, the bill is in a House Local Government sub-committee. For a more detailed summary of the bill, consult our web page at [www.kfoi.org](http://www.kfoi.org).

For information on how to contact legislators and for details on specific bills, check the legislative web page at [www.legis.state.ia.us](http://www.legis.state.ia.us). You can also call (515) 281-3221 to reach your representative or (515) 281-3371 to reach your senator. If you're unable to find the information or assistance you need, you are always welcome to contact us at (515) 288-5364 or [kfoi@kfoi.org](mailto:kfoi@kfoi.org).

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## THE BIG PICTURE

### You Can Fight City Hall

by LaVon Griffieon

I occasionally attend public hearings, city council meetings and the like around the state. I can sometimes notice that there has been an effort in group study going on. I've determined there are two factions of group study. They are: Group 1—The Successful Ones and Group 2—The Jim-Bob-Linda-Rays. Both groups have definite methods for attaining information. And, as any good academician knows, method has everything to do with outcome.

Group 1 will decide what their stand is on an issue. They determine where their support base lies. They gather the support base together (often this happens in a private home), sit down, discuss the issue, determine a strategy, delegate tasks, gather information they can substantiate and report back to each other. Then they repeat that process. Through this process, support and knowledge continue to grow. When it is time to go to the public meeting to make their case, they have graphs, charts and acknowledged sources for information. A small army has assembled that can speak personally to the issue and conclude by stating a common goal for the outcome.

Members of Group 2 run into each other at the local café each morning. Jim tells Bob about an issue that he heard will be discussed at a public hearing. Bob tells Linda and then visits with Ray. Linda tells Ray and Jim. Jim and Ray both confirm it is true, because they've heard it from other sources also. They all show up at the public meeting. They all share the same story. They make cat calls when an opposing viewpoint is expressed at the public hearing. They boo other speakers. They rumble and mumble when certain names are mentioned. Ray shouts out four letter words and stomps out of the room for effect. Linda talks incessantly to her neighbor so he can't keep track of what's going on. They are certain they are the victims of a conspiracy theory when the vote doesn't go their way in the end. And the sad thing was that Jim-Bob-Linda-Ray had valid viewpoints. But their methods were all wrong.

This often perpetuates the mindset "You can't fight city hall." It's a growing myth that needs to stop. Encourage everyone to get involved and stay abreast of issues. If you live in Iowa, community, state, national and global issues affect you. Listen to the leaders at the meetings you attend, and take notice of the viewpoints you don't agree with. Sometimes leaders are not able to tell you everything they know. Politically, it isn't wise to point fingers. They may have to hint at things that need to be investigated or questioned. Often, they may assume you already know more about the issue than you actually do. Ask stupid questions (I personally excel at this!).

If you doubt what leaders are saying is true, investigate it. Find out what motivates each individual. That may mean looking at voting records, board minutes, previous news articles, campaign contributions, getting on the Internet or talking to people who know. It may be difficult to understand

(See *City Hall* continued on page 6)



## Urban Innovations

*At their best, cities can be laboratories of innovation and progress. Here are examples of innovative programs from cities in North America—examples that show the value of thinking holistically about environmental quality, economic development, and quality of life.*

**Austin's** Sustainable Communities Initiative was created in 1996 to incorporate economic prosperity, social justice, and ecological health into a program charged with protecting the long-term livability of the city.

**Chattanooga** was one of the first U.S. cities to use a citizen visioning process to set specific, long-range goals to enrich the lives of residents and visitors.

**Chicago** has planted thousands of trees, created more than 100 miles of bike paths, installed solar panels on city museums, and built a rooftop garden on City Hall.

**New York** has recently built several green municipal buildings and has invested in a hydrogen fuel cell to power a police station in Central Park. Times Square is home to one of the world's leading green skyscrapers.

**Portland, Oregon** participates in a multi-county regional government called Metro, which has established an urban growth boundary around the metropolitan area to contain sprawl and has promoted growth along transit corridors within the growth boundary.

The **Sacramento** Municipal Utility District is currently a leader in solar generation with eight megawatts, support and investment in consumer conservation, programs to assist the installation of solar panels on the roofs of non-profits, and financial incentives for the installation of "cool roofs" to prevent urban heat island effect and reduce energy consumption.

**Seattle's** Strategic Planning department is a national model for transportation planning, with successes including a city-wide bike lane and path network and traffic calming through the installation of hundreds of traffic circles on neighborhood

streets. The department has also done extensive advanced planning and transit-oriented development in preparation for light rail.

**Toronto** is building three utility-scale wind turbines along the shore of Lake Ontario. The turbines will be the first to be built in a North American downtown setting. They will generate about 1,400 megawatt-hours of electricity per year (equivalent to the power used by about 250 homes).

Adoption of green building standards in **Vancouver** will shape plans to create a model sustainable community and park at a former industrial site in the heart of the city.

*Around the world, progressive cities are becoming leading actors in the movement for sustainability. Especially in Europe, citizens are creating a new vision of what cities should do to become more livable, economically successful, and environmentally responsible.*

Attended bike parking is free and convenient in **Halmstad, Sweden**. Cars are banned from the city center.

Bikes are a mainstream form of transportation in **Copenhagen, Denmark**, making double-decker bike racks a necessity.

More than **120 European cities**, towns, and counties have joined the European Sustainable Cities and Towns Campaign.

Squares and plazas in **Europe** exclude cars so that they act as the community's outdoor living room.

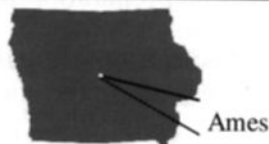
### European Union's 10 key elements for sustainable human settlements

- Resource budgeting
- Energy conservation and efficiency
- Renewable energy technology
- Long-lasting built structures
- Proximity between home and work
- Efficient public transport systems
- Waste reduction and recycling
- Organic waste composting
- A circular city metabolism
- A supply of staple foods from local sources

Excerpted from *EcoCity Cleveland Journal*, Sept/Oct 2000.

## NEWS FROM FRIENDS ACROSS IOWA

The City of Ames has purchased 460 acres of land that includes Hallett's Quarry (temporarily renamed Ames Quarry) and its watershed. The purchase will control the future and quality of an emergency water supply and increase educational and recreational opportunities.



### **Hallett's Quarry now called Ames Quarry**

The quality of the water in Hallett's Quarry is some of the best surface water remaining in Iowa. Present surrounding land use and shoreline erosion is degrading the quality of the water.

The Story County Conservation Board plan to restore much of the area as prairie, woodland and wetland will protect the lake from pollution and soil erosion. The restored area will provide diversity of habitat and serve as a haven for wildlife that includes rare species such as loons, sandhill cranes and bald eagles, which have been sighted there.

Five miles of trails will connect to city and regional trails. Nonpolluting boats will have access to the 130-acre lake.

Conservation Design Forum, Inc., has been hired to implement the master plan. [The firm's president, James Patchett, will speak at the conference described on page 7.] Work begins in late March to stabilize lake banks. Restoration of prairie and wetlands begins this summer. Part of the area is planned to open by the end of summer, with the entire project scheduled for completion in 2003.□

At a Planning and Zoning meeting late last year, the Cedar Falls commission reaffirmed the land-use plan that prohibited "big box stores" in the Greenhill Road area.



### **Greenhill Road land-use plan affirmed**

The Mason City firm of Yaggy Colby & Associates issued a report in 1994 calling for a mixed use Greenhill Road area that would break down standard zoning restrictions. Mixed use allowed "neighborhood friendly" shops, such as a restaurant, an appliance, grocery or drug store, a gas station, and bookstore, but not billboards, communication towers, auto dealerships or a lumberyard.

"It's saying 'Let's have some residential apartments near an office park so people can walk to work,'" said City Planner Marty Ryan. "And if they live there, why not have a laundromat and restaurants, too."

Four years later, a \$10 million, 60-acre commercial development was proposed at the intersection of South Main and Greenhill. The development was anchored by Wal-Mart and a 100,000-square-foot Lowe's lumberyard.

Established neighborhoods exist along two-lane South Main, and a housing boom is occurring just down the road, on the north side of Greenhill. The city planner's office recommended that the development should be elsewhere in the city. Mayor Jon Crews agreed that the concept looked good, just not the location.□

Page County supervisors have sided with 25 farms to oppose a new reservoir proposed by the City of Shenandoah. The proposal would affect a total of 4500 acres with 1600 acres slated to be under water.

The city claims that they need the reservoir for drinking water. Shenandoah sits in the Nishnabotna Valley river bottom. Howard R. Green Consultants of Des Moines estimates the project at \$45 million. This estimate lists \$1,500 per acre as the price to be paid for the prime farmland at the site. The estimate provides no compensation for the 12 homes that will be lost. Additional costs for county roads and bridges and all utilities were not included in the \$45 million estimate.



### **New Reservoir, West Tarkio Lake, Opposed in Page County**

(See *Page County* continued on page 5)



## NEWS FROM FRIENDS ACROSS IOWA

### Ft. Des Moines Park Preserved



The Polk County Conservation Board narrowly defeated a request by Des Moines businessman Ted Townsend to donate land for a language research facility, which would have closed a popular park to the public.

The Primate Learning Sanctuary is well known and respected for research into basic language and the ability of primates to learn and use language. Currently located at a Georgia university, the organization is looking for a new home.

The Ft. Des Moines park seemed perfect, with 116 acres of woodland close to a zoo. But there was one problem: It is a high traffic public park. Over 100,000 visitors a year use the 10 acre lake, new handicap accessible playground, two shelter houses, arboretum and miles of wooded trails.

Townsend became aware of the Primate Learning organization while working on his Iowa Child project. Opponents of locating the center in the park agree that it would be a wonderful thing to have in Iowa, and continue to work with Townsend to find a more acceptable location. □

### Masonic Temple: IN AIB Building: OUT



A long battle between old and new ended Jan. 22 when demolition of a building in downtown Des Moines began. Built in 1923, the AIB Building was a remnant of the commercial Art Deco design movement in Des Moines. In rejecting the efforts of preservationists, business leaders and the majority of the city council cited the need to make room for a new downtown library. While not every building can be saved, preservationists saw the city's rejection as a sign of the city's lack of commitment to historic preservation.

In contrast, the city council agreed nearly unanimously that the Masonic Temple sitting on a corner of the same site was worth preserving. Built in 1913, this architectural classic contains elaborate rooms, stained-glass windows and skylights, and oak woodwork, and was home to a lodge that included civic pioneers among its members.

The complex project, led by Harry Bookey with funding from more than 10 sources, includes restoring the building, leasing upper levels as offices and performance space for performing-arts groups, and putting a restaurant, coffee shop and bookstore on the ground level. □

### Cedar Rapids Brown-field Being Considered for Vision Iowa Project



The Vision Iowa Planning Committee held a public forum on January 31 to garner ideas for the point area in Cedar Rapids located on the southeast side by the river. This area has the former Farmstead/Wilson Foods meat packing plant, the former Iowa Iron Works plant site (a designated brownfield site), the Czech historic neighborhood, the Czech and Slovak National Museum, low-income housing and the Jane Boyd Community House.

The Cedar Rapids Chamber of Commerce has hired SmithGroup JJR for this project. The firm conducted the public hearing where several participants mentioned urban sprawl and wise land use. Ideas generated at the hearing ranged from a village-like concept with mixed housing (including affordable housing), a commercial area, green space and designing for mass transportation, to a multi-use sporting facility. □

*Page County continued from page 4.*

Residents affected by the proposed West Tarkio Lake Project question the need to create a lake. A study by Snyder and Associates in Atlantic discloses that \$343,000 would dig three new wells and refurbish nine existing wells that would also adequately supply the town with drinking water. Studies also indicate that the Nishnabotna River would be a better source of drinking water than the West Tarkio Creek. ☼

## Jordan Creek Lawsuit

The Jordan Creek Mall in West Des Moines, a 220-acre part of a proposed 3300 acre annexation, is forecasted to be as big as Mall of America.

1000 Friends of Iowa has joined the King Irving Neighborhood Association and Merle Hay/Valley West Malls in a lawsuit against the Iowa DOT and city of West Des Moines for circumventing the National Environmental Protection Act. They are segmenting the large project into small pieces to avoid a massive land-use issue so that they do not have to comply with NEPA. In addition to draining sales from area businesses and increasing sprawl, the environmental impact of the project will be huge.

The complaint was filed early in January, and the court hearing is expected to take place in March. ▢

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## Thanks to Ankeny 4-H Club

Thank you to the Ankeny 4-H Club that had Buy Local coordinator Rose Winkeler out on a Saturday in January to tell them about the importance of buying local. The club then toured the Goodwill store in Ankeny. They spent the rest of the day repairing a set of six chairs purchased at Goodwill and donated the chairs to 1000 Friends of Iowa for our office. ▢

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*City Hall continued from page 2.*

what they are telling you. Maybe a private conversation, when they aren't under the microscope, will answer your questions.

The "You Can't Fight City Hall" mentality is exactly what the city halls of the world want you to believe. Our entire democracy was built on our right to fight city hall. So make the effort to get involved. Don't trust anyone else to do it for you. A couple of my favorite websites for state issues are Money and Politics Iowa at <http://www.mapiowa.org/> and the Iowa General Assembly website at <http://www.legis.state.ia.us/>.

## A Big Thanks to Norm McCoy

In a 1999 issue of the Land Use Bulletin, Norm described urban sprawl as "just a symptom of a complex group of interrelated problems, including economic, political, social, agricultural, transportation, and public infrastructure issues. Changing one of them is likely to affect the others. Knowing how to change them wisely is a project for a systems engineer!"

Norm has been a "systems engineer" on the Board of Directors of 1000 Friends of Iowa since its inception. He was instrumental during the formative stages and has gently guided us through growing pains with a calm head, gentle voice and firm grip. An eager volunteer, with a phenomenal grasp of the issues, Norm has been a wonderful liaison for the citizens in eastern Iowa and 1000 Friends.

As we educate Iowans about responsible land use, Norm would urge us to help people find a balance that boosts the farm economy without hurting the urban economy. "We can develop a more diverse public transportation system," he says, "without sacrificing our first-class network of highways."

Finding a balance was one of the reasons Norm McCoy has resigned from the board of directors. Norm is engaged to be married and thinks that his expertise with systems engineering can be better utilized in other capacities! ▢

## WEBSITES OF INTEREST

**1000 Friends of Iowa:** [www.kfoi.org](http://www.kfoi.org)

[www.nrdc.org/cities/smartGrowth](http://www.nrdc.org/cities/smartGrowth)

Read more about both books and about other aspects of The Natural Resources Defense Council smart-growth work.

[www.epa.gov/livability](http://www.epa.gov/livability)

The Environmental Protection Agency site provides public resources to help create communities that promote the sustainability of American environment, economy, and quality of life. The site contains links to EPA's Livable Communities information.

[www.ecocleveland.org](http://www.ecocleveland.org)

EcoCity Cleveland is a nonprofit, tax-exempt, educational organization that stimulates ecological thinking about the Northeast Ohio region and promotes sustainable ways to meet basic human needs.

**T**his all-day conference is designed to help those involved in community planning and development to stay in regulatory compliance while offering strategies to lower costs.

Sponsored by six Soil and Water Conservation Districts in central Iowa and the Central Iowa Urban Water Quality Project, the conference will center on addressing storm water management phase II compliance, green infrastructure, conservation design and low impact development. Presenters will include James Patchett, president of Conservation Design Forum, Inc., who will speak on Integrating Water in Sustainable Designs; Mark Green, Superintendent of the Topeka Public Works Water Pollution Control Division, who will discuss Innovative Storm Water Management Techniques for Cities; and Shirley Morrow (CPSEC), Senior Environmental Scientist with Burns and McDonnell, who will talk about Pollution Prevention Plans.

According to urban conservationist Jennifer Welch, "It's important to learn new practices now, since communities will be required to implement storm water management and erosion control practices in order to comply with National Pollution Discharge Elimination Systems (NPDES) Phase II Storm Water Program regulations." Using actual case studies, the program will highlight the successes of innovative projects and approaches and will talk about how local ordinances can protect community resources and promote incentives for positive changes in communities.

## Conservation Strategies for Growing Communities

**WHAT:** A conference to help professionals, administrators, and elected officials plan conservation strategies for growing communities

**WHEN:** March 19

**WHERE:** Des Moines Community College Conference Center in Ankeny

Cost of the one day conference is \$75, \$100 after March 1. If three or more register from the same firm, the cost is \$50 each. Each registrant is eligible for an award of 6 CEUs.

For more information or to register, call Alice Vinsand at 515-225-1051.

The conference is for anyone interested in new, environmentally friendly approaches to the processes of planning and development: consulting engineers and architects, municipal engineers, planning and zoning administrators, economic development officials, permit and enforcement officials, county supervisors, city council members and administrators, developers, real estate agents, and conservations.

Additional conference sponsors include Division of Soil Conservation of the Iowa Department of Agriculture and Land Stewardship, Iowa Department of Natural Resources, City of Des Moines, and USDA's Natural Resources Conservation Service.

## Solving Sprawl: Models of Smart Growth from Communities Across America

The Natural Resources Defense Council proudly presents a book that tells the story of how smart growth works to save our landscape and strengthen our communities. *Solving Sprawl* spotlights 35 inspiring examples of inner-city reinvestment, innovative suburban development, and rural conservation from around the country. It features accessible text, color photographs and sidebar discussions of issues related to smart growth and sprawl. Its summaries highlight basic project data, the parties responsible, and the features that make each project noteworthy.

The sequel to *Once There Were Greenfields*, NRDC's acclaimed book on sprawl, *Solving Sprawl* will be indispensable to community leaders, planners, teachers, and just about anyone concerned with making America a better place to live.

*Solving Sprawl: Models of Smart Growth in Communities Across America*, by F. Kaid Benfield, Jutka Terris, and Nancy Vorsanger is available now for \$20 from [www.islandpress.com](http://www.islandpress.com) or 1-800-828-1302, and soon from booksellers nationwide. *Once There Were Greenfields: How Urban Sprawl Is Undermining America's Environment, Economy, and Social Fabric*, by F. Kaid Benfield, Matthew D. Raimi and Donald D.T. Chen, is available for \$20 from [www.amazon.com](http://www.amazon.com). □



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## **Clean Water and Sprawl**

The Clean Water State Revolving Fund is a loan program provided by the EPA and state DNRs to enable municipalities to upgrade their wastewater treatment plants to standards set in the federal Clean Water Act. A grant from the Conservation Districts of Iowa allowed 1000 Friends of Iowa to research whether these loans were also serving as sprawl subsidies.

The problem is that improvements can include increasing capacity of the treatment plants and extending the sewer system to provide for potential outward growth. In fact, in our review of 22 municipalities and 36 projects, 20% to 60% of each project was being developed for anticipated growth.

We are asking Governor Vilsack and the Iowa DNR to allow for a more formal study into the Fund in order to present recommendations to correct this problem. 1000 Friends and the Conservation Districts are hoping for stricter environmental assessments of the projects and limits on sewer capacity and extensions. Because sewer overflows are not the greatest cause of water pollution, the EPA is also encouraging states to allot 10% of the Clean Water Fund to go to non-point source pollution projects and to open the fund to other borrowers so that individuals, companies and organizations can compete for funding of their clean water projects. □