



THE LAND USE BULLETIN

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Ken Stone Receives Outstanding Leadership Award

At our Annual Meeting on Jan. 17, 1000 Friends honored Ken Stone with the 2003 Outstanding Leadership Award. On Feb. 2, Ken Stone, 67, officially retired from a career as a retail economist at Iowa State University. This shy farm boy, who stood up for small-town values against retail consolidation, leaves a legacy that reaches all the way to China.

In taking on big retailers like Wal-Mart, he preferred to let the numbers speak for themselves. And speak they did. He arranged numbers to provide a powerful tool for analyzing retail sales patterns and showing the impact of big-box retail chains on small-town merchants.

Stone was the first in the nation to extensively study the economic impact of major discounters like Wal-Mart. His book, *Competing with the Retail Giants*, has been translated into Chinese and Japanese.

He is also credited as the first economist in the U.S. to conduct a quantitative study of the impact of shopping malls on host cities and surrounding towns. That expertise led to world-wide travel to speak to retail and academic audiences.

Using the large amount of sales-tax data he found at Iowa State, he developed what he called a "retail trade analysis." He estimated the potential sales of several types of stores in a community, based on population, then compared that estimate to the actual sales to see if the community had trade surpluses or leakages. Community leaders use the

documents to gauge the health of their retail stores, and as a tool to attract new businesses. Developers and entrepreneurs also used Stone's data to help determine where to place new stores.



"Everybody had to get my autograph, have their picture taken with me. I felt kind of silly. Everybody seemed to think I was somebody."

—Ken Stone,
about promoting his book in China

Stone's long tenure working with retail data has changed his outlook on the Western economic system. "For a long time," he remembers, "I believed strictly in a capitalistic system: Just let everything go and if people want to take a risk and build a new mall, fine."

As time has gone on, however, he's seen there are huge ramifications, and he has become more circumspect. "Maybe we should be a little more careful about going to the edge of town and taking two or three hundred acres every time we get a whim," he muses. "I still believe in capitalism, but capitalism with some restraints."

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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 cities and towns.

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Growin' Times

Land-Use Issues Before the Legislature

by Ed Fallon



The 2004 legislative session is at the halfway mark, and several land-use initiatives are working their way through the process. Some of these bills are of interest to specific constituencies, while others have broader impact. Here's a brief summary of each item on the table:

Last year, the **planning bill**, HF 488, passed the House Local Government Committee 15 to 6, but was not allowed to come up for a vote on the House floor. It is being amended to narrow the focus to clarify the definition of comprehensive planning. Lobbyists representing counties, cities and other interested parties are helping draft the new language, and a consensus seems to be emerging.

Tax Increment Financing (TIF) continues to be discussed, though no specific bill has been filed. There appears to be growing agreement that the law should be changed to prevent school districts from losing money to future TIF districts. Since changes to TIF law would come before the House and Senate Ways and Means Committees, any legislative proposals are "funnel proof," meaning they can be considered for debate through the end of the session in mid to late April.

Legislation to allow cities to charge developers a **park impact fee** continues to draw bipartisan interest. Realtors oppose any changes, but many city officials would appreciate legislation that would enable them to require developers to share in the cost of setting up parks as new growth occurs.

HF 2041 would prevent cities from **condemning land** outside their city limits. The bill passed out of a House Local Government subcommittee and now awaits action by the full committee. This bill would help Iowans who are struggling to prevent condemnation of farmland for lakes, airports and other large-scale developments outside of city limits.

HF 2044 limits a city to 500 acres of land acquired through **involuntary annexation** each year, unless there is insufficient land available for development within the city's corporate limits. It's doubtful that this bill will move forward

Three bills have been drafted to require **minimum setback distances** from livestock operations for new residential development. This bill is a priority of the Iowa Farm Bureau, which normally counts for a lot. In other words, expect this bill or some version of it to get serious attention this year.

Continued on page 6

Ames City Council Votes to Approve New Mall

In a 4-2 vote on January 27th, the Ames City Council approved a significant change to the city's Land Use Policy Plan (LUPP) map. The request for a LUPP map change, made by Wolford Development of Tennessee, was the first step towards approval of a new 700,000 square-foot mall at the intersection of I-35 and 13th Street on the outskirts of Ames.

In a lengthy meeting that stretched past midnight, over 100 people spoke during the public comment period prior to the vote. Despite over 70 individuals presenting a wide range of arguments against a new mall, four out of six city council members voted for the LUPP change. The council's vote was extremely disappointing, and even more surprising given that the city Planning and Zoning Commission had recently sided with the majority of Ames residents and voted against the proposal.

But the matter still is not finalized. Next, Wolford must secure permission for annexation and zoning changes, and 1000 Friends is working with the local Ames Smart Growth Committee on how to address those matters. Even if these changes are approved and the mall built, some very positive momentum has been generated in Ames that could lead to better planning in the future. The effort by 1000 Friends to

find locations for nearly 1,000 yard signs throughout the city created a lot of visibility for smart growth. There was constant discussion of the issue in the local paper, and throughout central Iowa in the Des Moines Register and the four television stations as well. 1000 Friends of Iowa became a household term in the area, and our membership in Story County surged to become the second largest county membership in the state, behind Polk County.

Most encouraging of all is the establishment by local citizens of the Ames Smart Growth Committee, which plans to remain a proactive presence in the Ames community to advocate for responsible growth beyond the present battle over a new mall.

Contact the Ames Smart Growth Committee through Jim Popken at stuff@jscada.com or (515) 232-6508.



Jonah Katz, the 1000 Friends Outreach Coordinator for Ames, reported on the Ames situation at the annual meeting in January.

Save Kossuth County Environment

Save Kossuth County Environment is a non-profit group formed by a group of families in southern Kossuth County to fight a proposed 11,000-13,000 hog confinement in their neighborhood. At the time of the permit application, the Kossuth County Board of Supervisors had not adopted the new "matrix" for assessing the impacts of proposed confinements, so the supervisors had little recourse. They did allow a hearing on the topic and sent a letter to the DNR outlining their concerns, but the application was approved.

The site is in a floodplain, and after one heavy rain in June, the whole area was under water. The water drains into two nearby drainage ditches and subsequently into a branch of the Des Moines River. The permit was granted after a short delay and despite many calls to the DNR.

At this point, the law is on the side of the developer, and the only course of action available to the group is to pursue punitive damages after the confinement is built. The lawyer for the local citizens' group feels that the threat of damages may convince the developer to change his plans. But there are legal transactions taking place all along, and the threat of a countersuit exists as well. Members are getting involved in the political process, hoping that perhaps the water and air quality rules will be tightened.

For more information, contact Kathie Gerber at kdgerber@tvnet.net or (515) 882-3578.

Land Use and Sustainable Communities

1000 Friends of Iowa held its Annual Meeting January 17 at the Royal Amsterdam Hotel in Pella.

The hotel is located in historic downtown Pella on the Molengracht Canal, winner of our Best Development Award for best new commercial development in 2001.



Pella Mayor Darrell Dobernecker greeted about 90 attendees.



Don Chen, Executive Director of Smart Growth America, briefed the audience on activities and national legislation, transportation policy, and land-use issues before the U.S. Congress.



Board member, Pete McNally, presented the 2003 Best Development Award for the Castle on the Hill to Dale McKinney of InVision Architecture. (See related story on page 7.)

Jerry DeWitt was the senior photographer for *Renewing the Countryside—Iowa*, a recently published collection of stories about 21st-century pioneers who are bringing new life to rural Iowa. In an inspiring keynote address, Jerry showed slides and told of people who have found a way to make a living while supporting their communities and protecting the environment.

We are grateful for financial support of the annual meeting from the Kreykes Law Office (Pella), Taxpayers Against a Regional Airport (Mahaska County), Aqualand (Des Moines), and Bates Chiropractic Clinic (Des Moines).

Ankeny Land Grab

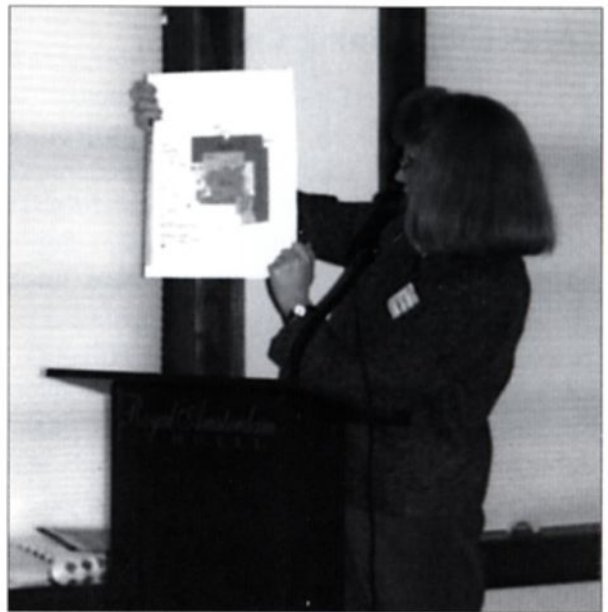
On December 15, 2003, the Ankeny City Council passed a new Comprehensive Land Use Plan that adds 32,000 acres to Ankeny's current boundaries. Many Ankeny citizens and area residents spoke against the plan in three public hearings, but it passed unanimously. The plan includes much of the land that is being studied for the Northeastern Polk County Beltway.



Stephanie Weisenbach, our new Program Consultant, will step up the grassroots efforts in NE Polk County, monitoring numerous growth issues.

On December 31, rural residents north of Ankeny were notified that the City had received an application from Jan-Rose Farms, Inc. for "voluntary" annexation of 263.47 acres on the northeastern side of the city. A total of 10 parcels of land owned by people who do not wish to be annexed into the city will also be included in this annexation. Under Iowa Code, 80 percent of the property in a voluntary annexation can bring 20 percent of the property in against the will of the owner(s). It is called "a voluntary annexation with non-consenting owners." In other words, absentee landowners want this annexation, and none of those actually living on the property to be annexed support the annexation.

Since July 2003, Ankeny has annexed over 2,600 acres into the City. A majority of this land is prime farmland. Ankeny says most of this land will be used for residential development. However, a recent



Board President, LaVon Griffieon reported at the annual meeting in January.

Ankeny Register newspaper series (www.kfoi.org/kfoi_ankeny.html) has addressed budget shortfalls, rising crime rates, the price tag of growth and a November survey saying 66 percent of the Ankeny citizens felt the city was growing too fast. Efforts are being made to help Ankeny citizens become aware of the impact of this unfettered growth on their quality of life and pocketbooks.

If you live in Northeastern Polk County and would like more information or to become involved, contact Stephanie Weisenbach at (515) 288-5364 or kfoi@kfoi.org.

According to the 1990 U.S. Census, Waterloo was the third largest Iowa city by square miles and 294th by population density. Waterloo has the highest property tax rate of any city in the state.

Waterloo's population cannot support the infrastructure to maintain 60.5 square miles of city. Does Ankeny want to face the same economic disaster?

Loess Hills Mining Curbed

Citing recent efforts to stop the Loess Hills from becoming fill for construction projects, Council Bluffs developers ask whether city leaders prefer development or preserving the Loess Hills. The city has dramatically increased fees that developers must pay when using dirt from within the city limits. That charge jumped from 4 cents to 25 cents per cubic yard, to reduce mining of the Loess Hills and lessen stress on city streets from dirt trucks. Transporting dirt from another area into the city is 10 cents per cubic yard, while grading dirt that already is at a construction site costs 2 cents per cubic yard.

"It's time to celebrate," commented Terry Oswald, president of the Loess Hills Preservation Society, Inc. "It has taken us many years to get things arranged so that political leaders feel that they have enough support to take such a good step as this."

The city limits of Council Bluffs comprises half of the land-form in Pottawattamie County, and for

years locations within Council Bluffs have been used basically to provide fill dirt for development projects throughout the area.

The fact that this positive change to protect the hills occurred is a testimony to the pioneering approach that the Society adopted about five years ago—to work on a win-win, positive basis and also to use an integrated approach to lead the way.

Oswald said the group didn't specifically call for the grading fee changes but supports such efforts. "Basically," he says, "it is no longer economically feasible to mine dirt within the city limits of Council Bluffs and/or the two-mile boundary surrounding the city."

For more information, contact Terry Oswald at terry-oswald@worldnet.att.net or (712) 388-9219.

(Issue 50 of the Land Use Bulletin contains a related story on page 4. Back issues may be read at www.kfoi.org.)

Land-Use Issues Before the Legislature

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Under current law, if county officials want to change their **zoning** ordinance, affected property owners do not have to be personally notified. Inspired by a recent problem in Woodbury County, an amendment to address this situation has been drafted.

There is some discussion of studying conflicts between cities and **rural water authorities**, with many people complaining that rural water in urban areas has caused sprawl and enabled poor land use development. It's too early to tell where this might lead.

For more information, contact 1000 Friends of Iowa at (515) 288-5364 or kfoi@kfoi.org. You can find out more about specific legislation on the legislative web page: www.legis.state.ia.us.

Websites of interest to 1000 Friends...

www.ilsr.org The Institute for Local Self-Reliance (ILSR) is a nonprofit research and educational organization that provides technical assistance and information on environmentally sound economic development strategies.

www.newrules.org The New Rules Project motto reveals its purpose: "Designing rules as if community matters." The site is a resource for policymakers, organizations and activists looking for innovative public policies enacted around the world that can be used to make communities vibrant and strong.

For daily updates on Smart Growth News, visit <http://www.smartgrowth.org/news/webnews.asp>

For more than 3700 news items on smart growth, visit the Smart Growth Network news area at <http://www.smartgrowth.org/news/default.asp>.

Subscribe for free weekly e-news at the website at <http://www.smartgrowth.org>

Our own website at www.kfoi.org contains links to many useful smart-growth related sites.

Best Development Awards 2003 Winners

Best new residential development:

Somerset Development, Ames. Developed by three realtors: Hunzinker & Associates, Friedrich Iowa Realty, and Furman.

Best new commercial/civic:

IAMU (Iowa Association of Municipal Utilities) Training & Office Complex, Ankeny. The project converted farmland to development, but demonstrated it could be done in a sustainable way.

Best rehab residential:

Castle on the Hill, Sioux City: Nustyle Development Corp and InVision Architecture.

Best rehab commercial/civic:

Elkader Opera House Renovation, Elkader—an all-volunteer transformation of a 100-year old building.

Outstanding Leadership:

Ken Stone (see front page story).

Thank you to all those who sent in nominations and to our selection committee. And special thanks to Pete McNally for all his work on the project, including an inspiring presentation at the Annual Meeting.

Board of Directors News

Many thanks go to our outgoing board members for their years of service to 1000 Friends: Loxi Hopkins, John Beltz, Steve Goltry, Jay Howe, Al Sturgeon, Ruth Scharnau, Wende Elliott and Alisa Meggitt.

At the same time, we welcome new board members Jo Lydon, of Casey, and Carter Woodruff, Des Moines.

These officers were elected at the annual meeting:

President,	LaVon Griffieon
Vice President,	Loren Lown
Secretary,	Pete McNally
Treasurer,	Mary Ellen Miller
At-large Executive Committee member	Tricia Lyman

MEMBERSHIP

We are gearing up to make our name a reality. We now have 981 members and contributors in 77 counties. We hope to have 1,000 \$100 Founding Friends, giving us an operating budget of \$100,000 — a solid position from which to move forward in our work.

If you would like to be a Founding Friend, but can't afford a lump sum contribution of \$100, we have a monthly pledge program for \$8.75 a month. Of course, we gratefully accept annual members at \$20 and up as well.

**Clip and mail with your tax deductible check, payable to 1000 Friends of Iowa.
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MEMBERSHIP CATEGORIES

Student/Senior ☐ \$20 Founding Friend ☐ \$100

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(or more)

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Iowa Caucus Roundup

The recent Iowa caucuses were deemed a success by Democratic and Republican commentators alike. The were also a success for 1000 Friends. We asked members to present these two platform resolutions at their caucus:

1. WHEREAS, Iowa's farmers and farmland are some of the best in the world; and

WHEREAS, according to a 1998 study by Iowa State University Extension, Iowa loses 26,000 acres of farmland to development each year; and

WHEREAS, the world's population has reached 6 billion, and there are 80 million additional mouths to feed each year; and

WHEREAS, urban sprawl not only consumes farmland but has a devastating effect on our cities, small towns and natural areas as well;

THEREFORE BE IT RESOLVED THAT the Iowa Legislature is encouraged to act quickly and decisively to adopt measures designed to protect prime farmland from urban sprawl, encroachment by highways, and other types of development pressure.

2. WHEREAS, many of Iowa's larger cities have lost population and tax base in the urban core while vacant lots and abandoned buildings have proliferated; and

WHEREAS, similar trends are evident in the town squares and on the Main Streets of many of our smaller communities; and

WHEREAS, development continues to move further and further out from our cities and towns, straining taxpayers' ability to meet the costs of providing and maintaining new infrastructure; and

WHEREAS, according to a 1998 study by Iowa State University Extension, half of all the land in Iowa's cities is zoned agricultural;

THEREFORE BE IT RESOLVED THAT the Iowa Legislature is encouraged to act quickly and decisively to adopt measures designed to encourage development and redevelopment inside our cities and towns, and to limit taxpayer subsidies for new growth on farmland.

These were the results we heard about from our members:

- Gilbert – both passed in a Democratic caucus (Helen Gunderson, Story Co.)
- Scott & Green Township Republican caucuses – adopted without debate or dissent (Jim Baylor, Fremont Co.)
- Des Moines Precinct 35 – both passed overwhelmingly (Norm Knight, Polk Co.)
- Ankeny Precinct 8 – both passed with two loud nays (John Creswell, Polk Co.)
- Greenfield I precinct – both passed unanimously (Hazel Zimmerman, Warren Co.)
- West Des Moines Precinct 314 – accepted and referred to the platform committee (Diane Krell)
- Hardin County – accepted without debate, and Deborah Anders-Bond volunteered for the platform committee. She reports that resolution 2 was accepted by the committee, but that resolution 1 was not accepted because “a farmer’s wife...said she didn’t want anyone telling her who she could sell her farmland to and that she knew other farmers felt the same way.” (Thanks for trying, Deborah.)

On a related note:

McGregor, Mendon township, North and South Democratic Caucus passed with an overwhelming majority a plank which reads: “We are opposed to any public expenditure for the creation of the River Bluff Resort, LLC.” This caucus includes all of the rural area of McGregor, Marquette and Giard, the areas that would most be impacted from this urban sprawl blight. (Tim & Sara Mason)