

POLICY STATEMENT ON URBAN PLANNING, GROWTH
MANAGEMENT OF CITIES, AND PROTECTION OF FARMLAND

BY THE IOWA CHAPTER, AMERICAN PLANNING ASSOCIATION



February 2000

INTRODUCTION

The American Planning Association (APA) is a national non-profit organization with over thirty thousand members, 46 regional chapters, including the Iowa chapter which has over 300 members. Its subsidiary, the American Institute of Certified Planners (AICP), represents about ten thousand professionally certified planners nationally. Members of both organizations include urban and regional planners employed by a myriad of organizations including states, cities, counties, consulting firms, and real estate/development corporations, citizen planners, planning commissioners and other public officials.

The Iowa chapter provides membership, training, and other professional development resources to its members. It coordinates and conducts annual training for citizens serving on city and county planning commissions.

APA is deeply committed to applied research and to program and policy implementation in the field of urban and regional planning. As well, the association and its members work very closely with other organizations involved in policy development and implementation in the field of land use planning. APA's most recent accomplishment has been to forge the Growing Smart coalition to modernize state planning statutes. Growing Smart is a five-year effort directed by APA's Research Department. The project's goal is to analyze the best of current planning law in the United States, offer alternative approaches where necessary, and produce a compendium of annotated models for use by state and local government. The principal products are a Legislative Guidebook published in an updateable format and a national clearinghouse for state statutes and other legislative materials dealing with the planning and management of change.

Iowa APA members believe that the state's planning laws are very weak. In fact, they are seriously deficient. They are deficient because the state lacks an articulated set of goals and a coordinated, statewide urban and rural land use agenda related to the future growth and development of the state. Currently as planners we must operate within a framework of laws that --

- ◇ Do not encourage proper planning and implementation to stimulate economic growth while facilitating control over limited resources and protecting prime agricultural land;
- ◇ Fail to encourage and facilitate inter-local cooperation in land use planning and decision-making;
- ◇ Fail to require state agencies to take steps to ensure that all their respective policies and programs are consistent with state growth management goals and/or plans of local and regional entities, and to that end have failed to establish an administrative process for achieving coordination of state agency planning and with local plans and activities.

The state must establish and maintain a land use policy framework that ensures that local land use planning satisfies both state goals and local interests. This framework must recognize the unique differences between what APA calls growth centers and agricultural resource areas of the state and that the planning tools developed in a statewide framework will be different for each.

DEFINING IOWA FOR THE FUTURE

The Iowa Chapter APA feels that the State government must define Iowa for the future: define us physically, economically and socially. Let's take stock for a minute of what Iowa is today.

Contrary to what some may believe, Iowa is a vibrant physical, economic, and social landscape, Iowa APA knows this. We see Iowa as a state with --

- ◇ Constantly changing textures, patterns and colors;
- ◇ Vital employment and economic growth centers offering cosmopolitan amenities and strong neighborhoods;
- ◇ Small towns that have developed innovative regional partnerships, while maintaining their individuality and the loyalty of their residents;
- ◇ Educational excellence, with strong public and private educational opportunities at all levels, and
- ◇ Iowa is a world leader in agricultural production with an agricultural economy that is studied by others in hopes of emulating our success.

Iowa is also a landscape whose once distinct edges between urban and rural, between suburb and central city, are increasingly blurred and seemingly endlessly expanding. Iowa is also urban centers that pay an increasingly disproportionate share to subsidize the services they provide and the amenities they offer for those who would use them but live elsewhere. Iowa is also unmet opportunities to provide affordable housing in our smaller towns because of the high risks and low rewards, and resulting demand for regional transportation systems. Iowa is also a divided rural population over the future form of livestock production and the economic, environmental and social implications of the choices before us.

The political and media debate in recent times has covered a fairly wide range of topics relating to land use issues. We believe that some additional topics need to be a part of this discussion, as they are inextricably linked to land use planning and land market decisions in both the urban and rural setting. They include:

- ◇ *Statewide trends:*
 - Economic
 - Demographic
 - Housing
 - Employment

- Development
- ◇ *The developer's perspective on planning law reform:*
 - Market forces
 - Developer costs
 - State and local development policies
- ◇ *An inventory and discussion of state policies that influence land use policy and development decisions at the local level, including:*
 - Rural water
 - IDED incentive and assistance programs that aid in community development
 - Tax policy(including income and property tax)
 - State transportation planning
 - Tax Increment Financing
 - Tax abatement
 - Annexation
 - Agricultural exemption from zoning
 - Municipal and county planning and zoning

A VISION FOR IOWA

In putting forth a strong statewide plan for Iowa's future, there must be a collective vision articulated through meaningful public dialogue; it must be a compelling vision for Iowans to follow; and it must be a vision that finds a common ground from which to build. The State should furnish the over-arching framework that provides a model for planning law reform, recognizing the intricate relationships and responsibilities that exist between state, regional and local efforts. This framework should be simple yet flexible and contain the philosophies that -

⇒ Planning statutes are not and cannot be a "one size fits all"

⇒ Planning statutes must address interagency coordination at both the local and state level

Iowa APA advocates for strong state enabling legislation for local governments to practice long range planning within a framework, or vision, articulated at the state level. Currently, there are very vague statutes in the Iowa Code, which allude to comprehensive planning as the basis for zoning and subdivision regulation. The Code, however, does not define any minimum elements that should be contained in a comprehensive plan or how to involve citizens and other interest groups in the planning process. The end result is a wide range of planning efforts, some good and some poor. Worst of all, because the Code does not mandate comprehensive planning, many jurisdictions do not plan at all, leaving responsibility for their future development at the hands of a small number of interests.

Proposed legislation may be based on models such as the American Planning Association's Growing Smart program, as well as enabling legislation from other states

that has proven successful. Modern growth management legislation does not imply no growth or slow growth. Rather, it encompasses a wide range of policies and programs aimed at not only mitigating the adverse effects of growth, but more recently, to encourage sustainable development on a local, regional and global scale. Goals of growth management programs may include promoting compact development, providing a jobs/housing balance, providing for affordable housing and a full range of housing types, preservation of open space or valuable resource lands (such as farmland), energy conservation, and the efficient provision of public services.

Unquestionably, state and regional involvement in land use planning and growth management requires significant intergovernmental cooperation. Perhaps the overriding question is this: is a statewide growth management program appropriate for Iowa, or is a regional approach, within sub-state areas, more appropriate? Such a regional approach should recognize and build on the intrinsic needs and differences between the state's growth centers and its agricultural resource centers. Other issues that must be resolved include the appropriate authority at each level (state, regional and local); how that authority will be carried out; and how much review and monitoring by state and regional agencies should occur.

RECOMMENDATIONS TO THE LEGISLATURE

What's the next logical step? Where do we go from here? There is much more homework to be done before any attempt is made at legislating planning law reform in the State of Iowa. Iowa APA encourages the state to develop a planning law framework that recognizes the distinct differences between growth centers and agricultural resource centers. This framework should respond to statewide trends, market forces and policy review issues.

Iowa APA makes the following recommendations to the State Government:

1. Convene a non-partisan drafting committee (made up of local officials, state elected officials and umbrella organizations, e.g. League of Cities and ISAC) with urban, rural, city and county representation to review and craft city and county planning law reform legislation that will address identified trends and issues and work to implement the urban/rural vision for the state. Review model planning legislation and utilize resources such as the APA's Growing Smart program.
2. Submit a bill draft for consideration and study that includes the following elements:
 - a) An articulated policy statement that sets forth a coordinated, statewide urban and rural land use agenda related to the future growth and development of the state. This statement should serve to identify the distinct regions of the state with respect to identifying the Iowa's "growth centers" and agricultural resource areas. This statement must further define which areas of the state are growth centers and which are agricultural production areas and determine what types of growth are

appropriate for each. It must also address the responsibility of protecting and preserving farmland and the agricultural resources of the state.

- b) Consolidate all statutes dealing with city planning, zoning, annexation, urban revitalization and urban renewal into one chapter entitled "Community Development."
- c) Require that all cities and counties must have some appropriate level of a comprehensive plan and zoning.
- d) Require the state to provide financial assistance to cities and counties to cover the initial cost of developing the comprehensive plan and zoning ordinance (in cases where the local entity has not heretofore adopted such a plan or ordinance).
- e) Require that all zoning be consistent with the comprehensive plan.
- f) Require that all development approvals, site plans, special/conditional use permits, plats, plats of survey, and urban renewal and revitalization plans be consistent with the comprehensive plan.
- g) Require that the comprehensive plan have six mandatory elements including goals and policies, land use, transportation, open space and recreation, housing, and public facilities and services. Allow Comprehensive plans to contain any additional elements the jurisdiction wishes, i.e. historic preservation, economic development, urban services area plan, etc.
- h) Require that a public hearing process be established and implemented by the approving body before adoption of the plan or any amendment thereto.
- i) Require that within two years of passage of the comprehensive plan and zoning regulations, the city or county adopt a zoning map consistent with the comprehensive plan.
- j) Prohibit cities that have not adopted a comprehensive plan and a zoning ordinance from voluntarily or involuntarily annexing unincorporated area.
- k) Require that cities and counties review the comprehensive plan no less than every seven years.
- l) Require that the City Development Board approve all annexations, this would include voluntary annexations outside urbanized areas.
- m) Other modern planning management tools must be considered and authorized within this legislation, tools which will provide local governments the flexibility and creativity they need to balance the competing needs for growth and development, agricultural land protection, and natural resource preservation. Such tools may

include taxation policies, acquisition of development rights (including Transfer and/or Purchase of Development Rights and conservation easements), urban growth boundaries or urban service areas, minimum density zoning, and concurrency requirements or adequate public facilities requirements.

- n) And finally, but certainly not least, keeping in mind that local, not state governments are most involved in land use planning, the above recommendations imply a need for the state to be involved in land use planning. If a state is to have a vision for its future growth, it must have a state agency to administer that program. The agency's main functions must be to review and coordinate, not plan. This agency's charge would include providing technical assistance to cities and counties in their land use planning activities.

Additionally, the legislature is advised to work with Iowa APA, the Iowa League of Cities, the Iowa Department of Economic Development, and other groups close to land use issues to develop an urban services area planning concept within the comprehensive plan framework. Such a concept will ensure that cities wanting to annex unincorporated area will be required to show how the city will provide water, sanitary sewer, police, fire and emergency medical services to the proposed annexation area.

Such a bill draft of considerable importance will take careful study and thoughtful deliberation by the Legislature. Iowa APA urges the Legislature to take its time with such an endeavor and implement the highest quality planning law reform that will serve both growth centers and agricultural resource areas of the state.

CONCLUSION

The Iowa Chapter of the American Planning Association will partner with other organizations with an interest in sound planning practice, and will also work closely with interested legislators in drafting legislation that ensures responsiveness to land use issues that affect Iowans in both urban and rural areas.

Iowa APA is prepared to assist the Legislature in bringing planning law reform. Modern legislation should promote the protection of the environment, both natural and built; the protection of farmland; the revitalization of Iowa's urban cores; the provision of affordable housing needs; the strengthening of the transportation and infrastructure network; the achievement of economic development; and the maximization of governmental services. The foundation for this legislation would be a process for defining citizen involvement that is both representative of all Iowans and supportive of the planning process.

Finally, Iowa APA recognizes and will continue to build upon the positive planning efforts already undertaken in Iowa which promote a strong regional framework, yet are flexible enough to encourage governments at the local level to address their local needs and goals. Proposed planning legislation will strive to compliment existing statewide resources and programs while allowing for innovation of new programs. Most of all, the proposed legislation will enable a stronger framework for all levels of government to plan for a better quality of life for all Iowans.