

THE IOWA LAND PRESERVATION AND DEVELOPMENT POLICY

INTERIM REPORT

APPENDICES

Submitted to

The Iowa General Assembly

March 1, 1979

Prepared By

The Temporary State Land Preservation Policy Commission

In Accordance With

Chapter 53, 67 G.A., 1977 (H.F. 210)

An Act to Provide for the Development of

A State Land Preservation Policy



A B O U T T H I S R E P O R T

This document is the second volume of an interim report on the progress of the program to develop land preservation and development policy recommendations as required by House File 210 (Chapter 93A, Code of Iowa). While extensive progress has been made since the Temporary State Land Preservation Policy Commission was first organized May 16, 1978, significant work remains to be completed before the final report recommendations are submitted to the General Assembly.

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A P P E N D I X A

ALTERNATIVE RECOMMENDATIONS EVALUATED BY THE TSLPPC

The analysis of the 99 county reports included the extraction of policy recommendations related to state policy issues. The alternative recommendations in Appendix A formed the basis for the evaluation of alternative proposals and the development of the policy recommendations of the Commission.

The alternative proposals presented both conflicting and complementary recommendations. Words and phrases in capital letters were recommendations approved by the Commission in the initial evaluation process. Those illustrated with a "strike over" (i.e., PRIME) represent deletions by the Commission in the initial review.

Alternative recommendations were organized as follows:

- Issue: Preservation of Agricultural Land for the Production of Food and Fiber -- A-2
- Issue: The Control of Urban Sprawl and the Orderly and Efficient Transition of Land From Rural to Urban Use -- A-9
- Issue: The Criteria for the Designation and Preservation of Critical Areas; Designation of Key Facilities and the Designation of Large-Scale Development Which Will Have Impact Beyond County Boundaries -- A-15
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ISSUE: PRESERVATION OF AGRICULTURAL LAND FOR THE PRODUCTION OF FOOD AND FIBER

DESIRED GOALS AND OBJECTIVES

TO PRESERVE THE LAND AVAILABILITY AND CONSERVE THE SOIL PRODUCTIVITY OF PRIME AGRICULTURAL LANDS FOR THE PRODUCTION OF FOOD AND FIBER

ALTERNATIVE RECOMMENDATIONS

* PRIME FARMLAND SHOULD BE IDENTIFIED AND INVENTORIED.

- CLASSIFY PRIME FARMLAND ACCORDING TO CROP/CORN SUITABILITY RATING.

or

- The land capability classification system and the corn suitability rating should be mandated as the basis for classifying agricultural lands.

and/or

- The General Assembly should provide a better definition of prime agricultural land (for the purpose of strengthening local enabling legislation related to agricultural land preservation).

and/or

- Prime agricultural land should be defined, with broad guidelines provided by the state, and specific standards established by each county to identify lands most suitable for agriculture and for various non-agriculture uses.
- MAP PRIME FARMLAND FOR USE AS AN AUTHORITATIVE REFERENCE AND A BASIS FOR MAKING LAND USE DECISIONS.

or

- Land use allocation of changes should be tied directly to the soil types and capabilities.
 - Standards for rural sewage disposal should be based on soils data.
- * Highest priority must go to our continuing ability to produce food and fiber.

THE AVAILABILITY OF PRIME AGRICULTURAL LAND SHOULD BE PRESERVED FOR CONTINUED PRODUCTION OF FOOD AND FIBER:

- MANDATE CITY AND COUNTY COMPREHENSIVE PLANNING AND ZONING WITH STATE GUIDELINES

(1) ESTABLISHING AGRICULTURAL PRESERVATION DISTRICTS, (2) RESTRICTING RURAL NON-FARM DEVELOPMENT, (3) MINIMIZING THE DISRUPTIVE ACTIVITIES OF PIPELINE CONSTRUCTION, MINING, ETC., AND (4) ESTABLISHING AN ORDERLY, EQUITABLE PROCEDURE FOR MAKING LAND USE CHANGES.

- In developing the comprehensive plan, cities and counties should be required to consider CSR ratings, soil survey information, land capability classifications, existing uses of land and development patterns, and the capability of the area to provide the services required to support future development. After completion and adoption of a county comprehensive plan, a zoning ordinance and map should be developed to implement the intent of the plan. The specific zoning districts would be required to be based upon the same factors that were considered in developing the comprehensive plan.
 - Comprehensive plans, zoning, and subdivision ordinances for all counties and cities should be required to be updated (every five years) (periodically).
 - Require coordination between each county and its cities in land use regulation for agricultural uses and urban expansion
- or
- Current zoning practices should be re-examined. The goal of agricultural preservation and the maintenance of the productive family farm unit is not well served in current zoning patterns that promote a random and sporadic encroachment of suburban development into agricultural regions.
- or
- There is organized opposition to any county-wide zoning requirement.
 - REEVALUATE FEDERAL AND STATE POLICIES AND LAWS THAT HAVE A-NEGATIVE AN IMPACT UPON THE PRESERVATION OF PRIME AGRICULTURAL LAND. (FOR EXAMPLE, NUISANCE LAWS, POLLUTION STANDARDS, INCOMPATIBLE ADJACENT USES, ETC.)

- MANDATE ANNEXATION PROCEDURES THAT (1) REQUIRE PROOF OF NEED FOR URBAN PURPOSES, (2) DOCUMENT THE AMOUNT OF PRIME AGRICULTURAL LAND TO BE ANNEXED, AND (3) EVALUATE ALTERNATIVE LAND AREAS FOR ANNEXATION and (4) require the presentation of a report detailing the above information. The report should be reviewed (by the county land preservation and development policy commission) before any land is annexed. Such a review procedure should include a public referendum appeals procedure.
- Agricultural land preservation should be accomplished through (local governing bodies and authorities) (a local commission) (a board of review established at the county level) utilizing state guidelines. Any proposal to divert land from food or livestock production should be handled locally, with regional or state participation only in decisions affecting more than one county.
- Non-agricultural uses should be prohibited on agricultural lands outside incorporated areas.

or

- (Class I and II land) (Land above a specified CSR) (The most productive land) (Prime agricultural land) should be reserved for agricultural production. Marginal agricultural land should be made available for urban development in planned and orderly growth patterns and for natural environmental use. Deviations will require approval of the (county board of adjustment) (county or city planning and zoning board).

and/or

- Agricultural lands within cities should be allowed to develop for urban purposes if they result in an orderly, contiguous growth pattern utilizing existing utilities and other city services.

or

- While food production is the principle use of agricultural lands, industrial

development and other land uses that serve community objectives in rural counties by land use laws or regulations that prohibit the conversion of agricultural land to any non-agricultural use.

* TAX INCENTIVES AND PENALTIES SHOULD BE DEVELOPED TO ENCOURAGE THE PRESERVATION OF PRIME AGRICULTURAL LAND.

- REQUIRE PREFERENTIAL ASSESSMENT ON PRIME AGRICULTURAL LAND, WITH A TAX RECAPTURE PROCEDURE FOR LAND SOLD AT A HIGHER PRICE FOR NON-FARM USE (within a specified period of time).
-

or

- Land sold for anticipated future non-agricultural development and located near existing urban development should be taxed according to the higher assessed valuation.
- ESTABLISH THE PREFERENTIAL ASSESSMENT FOR PRIME AGRICULTURAL LAND WITHIN THE CORPORATE LIMITS OF CITIES.
- Tax incentives should include the formation of voluntary tax preferences.

* CONSERVATION OR SCENIC EASEMENTS SHOULD BE CONSIDERED AS APPROACHES TO PRESERVATION OF AGRICULTURAL LAND.

- ESTABLISH TRANSFER, PURCHASE, ~~DEDICATION AND CONDEMNATION~~ OF DEVELOPMENT RIGHTS.

or

- Near existing or potential urban areas, development rights on farmland could be sold, with the farmer retaining ownership of the land for agricultural purposes.

Soil Conservation (Soil Quality/Productivity)

- * THE QUALITY OF PRIME AGRICULTURAL LAND SHOULD BE CONSERVED FOR THE CONTINUED PRODUCTION OF FOOD AND FIBER. Reducing soil erosion to the levels established by the state soil loss limit regulation should be (a) (the) major statewide goal.
- A massive effort should be made to conserve our remaining topsoil through conservation and management practices, either voluntary or if required, mandatory.
and/or
 - ENCOURAGE SOIL CONSERVATION PRACTICES THROUGH VOLUNTARY PROGRAMS, ~~THAT-INCLUDE~~ FOR EXAMPLE: (1) MINIMUM TILLAGE, (2) CROP ROTATIONS THAT INCLUDE GRASS AND LEGUMES, AND (3) CONSERVATION STRUCTURES, (4) contour and strip cropping, (5) terraces, and (6) tile inlet structures.
or
 - Farming practices that meet allowable soil loss limits as provided by state law should be mandatory.
 - All farm units should be (required to be) in an active conservation plan. The plan should present alternative practices for farmers to select to achieve minimum soil losses and to control runoff from and through farmsteads and feedlots to prevent or lessen pollution hazards.
 - In keeping with recent federal legislation on non-point source pollution, implement the existing soil loss limit law of 1971, through the use of the soil district and county land use commission. More funds should be provided to implement the law (so that a far greater percentage of and eventually all farmland will qualify as "adequately treated.")
 - The soil erosion law procedure whereby a landowner can seek protection against a "nuisance" of excessive soil losses from an adjacent landowner should be better publicized so that more people are aware of its availability to them, and it should be encouraged to be used more frequently.

- Soil district commissioners should have the authority to investigate severe erosion problems without a complaint from adjacent landowners, and to take appropriate action even though such agencies are not an injured party and there are no damages to a second party.
- Implementation techniques in existing soil conservation laws should be strengthened.

and/or

-
- The General Assembly should pass legislation establishing a 10 year program mandating the gradual change in farm practices to reduce soil losses to 5 tons per acre per year or less.

- State and federal agricultural conservation programs should be coordinated.
- USE TAX INCENTIVES AND PENALTIES AS METHODS OF ENCOURAGING SOIL CONSERVATION PRACTICES AND REDUCING SOIL LOSSES TO ACCEPTABLE LIMITS.

* For example, tax credits should be provided to encourage the shift of marginal agricultural lands from row crops to hay and meadow rotation or woodlands and wildlife areas.

- PROVIDE ADDITIONAL FUNDING AT THE FEDERAL AND STATE LEVEL FOR IMPROVED (1) ADMINISTRATIVE STAFF, (2) TECHNICAL ASSISTANCE, AND (3) INCENTIVES TO LANDOWNERS to help in the implementation of soil conservation practices.

- Other monetary incentives that (should) (could) be used to encourage the implementation of soil conservation practices include:

* Continued state and federal cost-sharing practices (with voluntary cooperation receiving more funds than mandatory).

* (County and city governments) (Soil conservation commissions) should take an active role in soil conservation and provide (matching) funding for soil conservation measures.

- * Increased cost-share funds per landowner.
 - * Loans -- with land preservation and soil conservation a part of the land loan.
 - * Set-aside acres -- with conservation practices added during growing season.
 - * Governmental guidelines with production incentives or set-aside programs should be coordinated with soil conservation programs.
- Conservation farming practices should be a requirement for participation in federal programs and for receiving governmental assistance.
 - Soil conservation is basically an educational issue which is the responsibility of the DSC, Cooperative Extension Service, and the Soil Conservation Service.
- These groups should USE EDUCATIONAL AND INFORMATION PROGRAMS TO INSTILL A LAND ETHIC IN THE CITIZENRY.

ISSUE: THE CONTROL OF URBAN SPRAWL AND THE ORDERLY AND EFFICIENT TRANSITION OF
LAND FROM RURAL TO URBAN USE

DESIRED GOALS AND OBJECTIVES

TO DISCOURAGE AND CONTROL URBAN SPRAWL.

~~TO ENCOURAGE THE TIMELY AND ORDERLY TRANSITION OF LAND FROM RURAL USE TO URBAN
DEVELOPMENT.~~

TO ENCOURAGE EFFICIENT URBAN DEVELOPMENT PATTERNS.

ALTERNATIVE RECOMMENDATIONS

* COUNTIES SHALL HAVE A COUNTY COMPREHENSIVE PLAN TO CONTROL THE INEFFICIENT USE OF
AGRICULTURAL LAND FOR URBAN SPRAWL

~~* INCORPORATED CITIES SHOULD HAVE LONG RANGE COMPREHENSIVE PLANS THAT CONTAIN PRO-
JECTED POPULATION GROWTH AND ESTIMATES OF FUTURE NEED FOR URBAN DEVELOPMENT LAND.~~

- INCLUDE MAJOR PLAN ELEMENTS SUCH AS LAND USE, HOUSING, COMMUNITY FACILITIES
AND UTILITIES, AND TRANSPORTATION and areas for agricultural use.

- PROVIDE FOR THE COORDINATION OF COMPREHENSIVE PLANS AND THE RECONCILIATION OF
CONFLICTS.

- MANDATE THE REVIEW AND APPROVAL OF COMPREHENSIVE PLANS AND LAND USE ORDINANCES
AND REGULATIONS BY COUNTY LAND PRESERVATION AND DEVELOPMENT COMMISSIONS TO
ASSURE CONSISTENCY WITH COUNTY LAND USE GUIDELINES.

- MANDATE THE REVIEW AND RECOMMENDATION OF REGIONAL PLANNING AGENCIES FOR MULTI-
JURISDICTIONAL PLANS, PROPOSALS, AND PROJECTS.

AND/OR

* Orderly efficient development within and between counties and their cities should
be accomplished through (mandatory) zoning legislation.

- Zoning ordinances should be used to restrict non-agricultural development on
high quality agricultural land, and direct such development toward poorer agri-
cultural land.

- County (and city) zoning should be required to be kept current to meet new development trends and needs.

AND/OR

- * While planning and zoning should be developed and directed by local government, coordination of these activities should be a major function of regional or state agencies.

AND/OR

- * Provide enabling legislation to improve platting procedures, encourage cluster or planned unit development.

AND/OR

- * STATE MINIMUM GUIDELINES FOR URBAN EXPANSION AND ANNEXATION ~~SHOULD~~ SHALL BE ADAPTED, ADOPTED AND IMPLEMENTED BY EACH COUNTY. ~~LAND-PRESERVATION-AND-DEVELOPMENT BOARD.~~

- INCLUDE ALL AFFECTED UNITS OF GOVERNMENT AND THE GENERAL CITIZENRY IN THE URBAN EXPANSION ANNEXATION PROCESS.
- EVALUATE ALL OPTIONS FOR URBAN EXPANSION AS RELATED TO AGRICULTURAL PRODUCTION, PROVISION OF URBAN SERVICES AND FACILITIES, AVAILABILITY OF LAND WITHIN OR CONTIGUOUS TO THE INCORPORATED AREA.
- INCLUDE SOIL SURVEY AND LAND CAPABILITY DATA IN MAKING LAND USE DECISIONS AND ASSIGN A LOW PRIORITY TO URBAN GROWTH IN PRIME AGRICULTURAL AND FLOOD PLAIN AREAS AND A HIGH PRIORITY TO LESS PRODUCTIVE AGRICULTURAL LAND.
- REQUIRE AMENDMENT OF A CITY'S COMPREHENSIVE PLAN BEFORE REZONING AMENDMENTS ARE APPROVED.
- Land development ordinances should be coordinated between political subdivisions so that they are compatible and complementary.
- * Mandate joint city/county planning and land use controls (subdivision plat

review, changes in land use etc.) for peripheral growth areas within 2 miles of a municipality.

- * Mandate joint policy planning coordination for contiguous municipalities and counties in regional growth centers. Regulate urban-type growth occurring beyond municipal limits.
 - * Orderly growth and development policies should be developed by a county commission of elected officials, or their designees, and voted on at a public referendum.
-

AND/OR

- * To encourage the timely, orderly and efficient transition of land and resources from rural to urban use, the following is recommended:

- The (urban) development of land within the existing corporate limits of cities should be (mandated) (encouraged) before urban expansion into rural areas.
- If it is necessary to expand urban growth beyond the existing city limits, the least productive land available should be used first.
- Further urban development of (the most productive) agricultural lands should be limited to high intensity industrial and commercial development.

and/or

- Urban development should be prohibited on the most productive agricultural land outside incorporated city limits.
- Use of (the most productive land) (land above a specified CSR) for non-farm use should be reviewed and approved by the (county board of adjustment) (county or city planning and zoning board).
- Urban growth should be contiguous to urban areas located where necessary urban services can be provided or extended.

- * Urban development should be controlled to permit the efficient provision of urban services such as sewer services and police and fire protection.

- * Water quality and quantity are important factors to be considered in proposing

and developing urban land use patterns. Land use patterns should avoid conflicting use of water. Flood plain zoning should be established.

* Withhold urban facilities and services from areas not appropriate for urban growth.

- Urban development should utilize growth patterns that encourage efficient densities and the preservation and renovation of existing urban areas. In addition, residential, commercial and industrial development should be limited to preserve the integrity of the rural community.

* A minimum of (10) (35) (40) acres should be required before a private dwelling can be constructed on agricultural land (above a specified CSR level).

or

* To preserve agricultural land by discouraging rural non-farm residential development, each dwelling should have a required number of acres, with the lowest densities on the most productive agricultural land.

* Industrial growth should be limited to industrial parks.

* To prevent conflicts between rural residential development and commercial feedlots, zoning districts should be established that restrict rural (residential) development next to commercial feedlots.

- Annexed areas should have all public services provided within five years or it should revert to its detached status, with a five year waiting period before annexation can take place again.

- Counties and affected cities should jointly adopt urban expansion and buffer zones:

* Such zones would permit orderly growth without affecting county rural land values.

* Such zones would be zoned and regulated at the local level.

* A county land use board and city planning and zoning board would control development within 2 miles of cities.

AND/OR

* TAX INCENTIVES SHOULD BE USED TO ENCOURAGE URBAN DEVELOPMENT ON LESS PRODUCTIVE LAND AND DISCOURAGE URBAN DEVELOPMENT ON THE MORE PRODUCTIVE AGRICULTURAL LAND.

- ~~TAX-FARMLAND-WITHIN-CITY-LIMITS-AS-URBAN-LAND.~~

- ~~TAX-PRIME-FARMLAND-WITHIN-CITY-LIMITS-AS-AGRICULTURAL-LAND.~~

- ~~TAX-ALL-FARMLAND-WITHIN-CITY-LIMITS-AS-AGRICULTURAL-LAND.~~

- The General Assembly should examine the impact of existing state tax policies that contribute to urban sprawl and undesirable land use patterns:

* Disparities in development standards and property tax burdens placed on urban development in rural areas versus urban areas.

* Disparities in raising revenues versus dispersal of funds to provide services (i.e., school bus transportation) to suburban development.

- Regional tax sharing on a county-wide basis should be implemented as a way of encouraging orderly urban growth while reducing competition between communities for tax rateables.

- Taxation policies should be established to encourage development on agricultural and natural environmental land within the corporate limits of cities.

* Encourage such development before additional land is annexed.

* Assessors should consider potential for urbanization within cities when establishing land values.

* Assessors should consider the protection of prime agricultural land within cities.

AND/OR

* STATE SHOULD PASS AN URBAN REVITALIZATION BILL TO ENCOURAGE RECYCLING OF URBAN LAND FOR RESIDENTIAL, URBAN, AND INDUSTRIAL USES.

- Abandoned land, buildings and facilities should be viewed as reusable resources, and governmental bodies should be encouraged to use or develop existing locations

before promoting new construction or expanding boundaries.

AND/OR

- * STATE SHOULD CONSIDER PASSING ENABLING LEGISLATION TO PERMIT CITIES TO ISSUE INDUSTRIAL REVENUE-TYPE BONDS TO FINANCE RESIDENTIAL MORTGAGES WITHIN CITIES.

AND/OR

Growth Trends

- * Land preservation and development policies should balance urban growth and agricultural land preservation because both contribute to the economic well being of an area:
 - A state policy should be developed to encourage economic growth throughout the state.
- and/or
 - Reasonable population growth should be encouraged with a concerted effort to bring industry into the community to provide employment and expand the economy.
- and/or
 - Orderly urban growth should be provided which will accommodate the future urban land use and economic needs of communities.
 - Concern for the protection of agricultural resources should not be addressed at the expense of other land uses that serve community objectives (i.e., urban and recreational open space needs).
 - Although food production should be the principal use of prime agricultural land, industrial development should not be discouraged in rural counties by land use laws that prohibit the use of prime agricultural land for industry.

ISSUE: THE CRITERIA FOR THE DESIGNATION AND PRESERVATION OF CRITICAL AREAS,
INCLUDING THE DESIGNATION OF KEY FACILITIES AND THE DESIGNATION OF LARGE
SCALE DEVELOPMENT WHICH WILL HAVE IMPACT BEYOND COUNTY BOUNDARIES

DESIRED GOALS AND OBJECTIVES

TO DESIGNATE AND PRESERVE CRITICAL AREAS AND PROVIDE FOR THE DESIGNATION AND CONTROL
OF KEY FACILITIES AND LARGE SCALE DEVELOPMENTS

ALTERNATIVE RECOMMENDATIONS

~~* The authority for local designation and control of local critical areas should be
provided.~~

- Mandate that local agencies/officials be responsible for preventing damage to
local critical areas
- Designate local critical areas in the development of a local land use plan
- Designate high priority areas
- Develop specific proposals for their preservation (i.e., zoning laws, purchase
of site, etc.)

AND/OR

- * State policy for critical areas should be established that sets forth guidelines
for local governments to:
 - Identify critical areas
 - Establish such applicable zoning district classifications
 - Place such areas in zoning classifications to preserve and protect them against
deterioration or destruction
 - Develop and implement other land use controls as applicable to preserve and
protect such critical areas.

AND/OR

- * Under state guidelines, counties should:
 - Establish plans for identifying and preserving critical areas
 - Establish local commissions to implement the plans in cooperation with state
agencies.

AND/OR

- * Local critical areas should be designated in the development of the county land use plan.

AND/OR

- * Critical areas should be identified by the appropriate organization:

- Historic -- Historic Society
- Recreation -- Conservation Board
- Scenic -- Conservation Board
- Wildlife -- Conservation Board

AND/OR

- * Local critical areas should be identified, designated and preserved through the cooperative efforts of:

- County and state historical society
- County Conservation Board
- County Zoning Commission

- * A statewide process should be established for the preservation and protection of critical areas. The process would include:

- Defining critical areas of statewide significance, including:

- * Fragile
- * Historic
- * Natural hazard
- * Renewable resource lands
- * Unique
- * Areas in close proximity to population centers
- * Off-site areas affected by key facilities and large scale developments.

- Nominating procedures
- Specific plans and programs

- Preservation and protection techniques that are compatible with well-planned development, including:

- * Tax incentives
- * Protective covenants
- * Purchase of development rights or scenic easements
- * Planning and siting permits

- Restoration of critical areas (where applicable)

~~* A statewide procedure should be established for the regulation of key facilities~~

and large scale development on a local, state and federal level, which will include:

- Development of definitions, standards and criteria for identifying key facilities and large scale developments
- Mandating the establishment of need, which would include an environmental impact statement related to the effects upon natural land and prime agricultural land
- Emphasis placed upon consultation with local agencies.

AND/OR

* State and county land use plans should establish critical areas as a priority for preservation and improvement; there should be a balance between agricultural land, urban land and recreational land (which would include critical areas), including:

- Preservation of timberland through tax incentives, cost share conservation practices, user fees, etc.
- Protection of streams by permit approval of channel changes and cost share erosion control of adjacent lands
- Protection of historical sites through identification, designation and the development of protection criteria and procedures including funding programs.
- Preservation, improvement and expansion of wildlife habitat through public funding, tax incentives, cost share conservation practices and educational programs.

AND/OR

- * For critical areas, key facilities and large scale development affecting more than one county, a state land use commission should be established by the General Assembly, with:
 - Considerable authority to review and approve or disapprove such major developments
 - Legislative provisions for review procedures
 - Legislative provisions for local representation from affected counties.
- * Guidelines and standards that insure that future development promotes the protection of Iowa's environment should be adopted.
- * Critical area surveys need to be conducted for the purpose of identifying and designating critical areas.
- * Critical areas should be related to and designated by soil survey and protected in accord with soil resource capabilities.
- * Land development proposals, which are of statewide significance as related to critical environmental areas and key facilities, should have state approval.
- * Public land purchases should be limited to areas having a low potential for agricultural use.
- * Future land use decisions should include systematic consideration of the anticipated effects on scenic, historic, cultural, architectural, or archaeological resources, or rare, fragile or irreplaceable natural resources.
- * Critical areas should include lands as follows:
 - Fragile/rare or irreplaceable natural areas
 - Historic/archaeological/cultural
 - Natural hazard/flood
 - Renewable resource
 - Mineral resources.

AND/OR

* Critical areas should be protected to the extent that:

- Unique natural areas are preserved
- Greenbelts, shelterbelts and windbreaks are protected and maintained
- Timberland and other important habitats are preserved.

* Wildlife areas, greenbelts, recreational areas, forest and woodlands should be identified and preserved by:

- Property tax credits

- Technical assistance
- Cost-Sharing
- Zoning -- to regulate inappropriate adjacent uses
- Education of the public
- Official designation -- according to adopted criteria
- Purchase (title or development rights)

AND/OR

* Property tax incentives for forest preserves should be expanded to include wild-life preserve areas.

AND/OR

* Develop educational programs that encourage individuals to provide and maintain wildlife areas.

AND/OR

* Unique natural areas should be dedicated to the Iowa State Preserves system.

AND/OR

* Fragile or unique lands should be given a preferential assessment when protected in a suitable manner.

- * Historical sites and geological formations should be preserved in a variety of forms:
 - Identification and preservation of historic sites should be accomplished with the cooperation of historic societies and similar interested citizen groups.
 - Zoning ordinances should recognize designated historic sites.
- * Development (of structures) in flood plains that could be endangered by floods should be prohibited:
 - Identify and define flood plain areas
 - Use zoning ordinances and land use controls to control development in such areas.
- * Mineral resources lands should:
 - Be identified by the state geologist
 - Have access preserved for present and future use through the implementation of zoning ordinances
 - Be appropriately reclaimed so that they are not unattractive or hazardous
 - Have developed and exhausted open mine sites reclaimed in accord with an approved plan, which would include stockpiling of soil and overburden
 - Restore abandoned sites to approximate former use.

AND/OR

- * Zoning should include the regulation of:
 - Mining
 - Quarrying

AND/OR

- * The use of land for mineral extraction and reclamation should be included in comprehensive plan guidelines.

AND/OR

- * Land preservation policies should not restrict the development or utilization of mineral deposits; however, policies should provide for returning the land to an economic use.

AND/OR

- * Commercial-sized mineral deposits should be protected and preserved for future use.

AND/OR

- * Mining should be consistent with land preservation regulations and coordinated with federal and state regulations regarding operation and land reclamation.
-

ISSUE: BALANCE BETWEEN ENERGY RESOURCES AND CONSUMPTION

DESIRED GOALS AND OBJECTIVES

TO PROMOTE EFFICIENT USE OF ENERGY AND THE DEVELOPMENT OF NEW SOURCES

ALTERNATIVE RECOMMENDATIONS

* To deal with the energy issue, a state land use commission should work with other units of government to:

- Encourage research in energy conservation
- Revive mass transit
- Develop effective educational programs
- Place a moratorium on highway construction
- Prepare waterways for more intense and sophisticated transport
- Encourage minimum tillage methods in crop production
- Revitalize existing urban centers, reducing urban sprawl and increasing efficiency in moving goods and services throughout urban areas.
- Promote research to make available and useable the coal resources of the state.

AND/OR

* Energy conservation should be an element considered in:

- The land use decision-making process
- The development of local comprehensive plans.

AND/OR

* Conservation of energy should be an important criteria in policy proposals related to land use decisions (i.e., land development patterns, movement of goods and people and agricultural land preservation and production activities).

* Access to mineral deposits such as coal should be permitted. Local governments should approve mining activities and develop criteria for the restoration of mine sites.

- * The development of coal mining should be consistent with land preservation regulations and coordinated with county, state and federal programs for land reclamation and restoration.
 - * Major power generating sites and energy and fuel transmission facilities and corridors should be located, consistent with existing development, in areas best suited for non-agricultural uses.
 - * Nuclear power plant development and construction should be based upon the development of safe methods of disposing of radioactive waste.
-

AND/OR

- * The development of nuclear power plants should be prohibited until safe methods of waste disposal can be developed.
- * Transmission of energy and fuel resources should:
 - Involve coordinated planning on a regional or multi-county basis
 - Include local representation in the decision-making process for powerlines and pipelines of regional or statewide impact.
 - Be compatible with intra- and inter-state plans.
 - Involve advance information to the public.
 - Minimize the use of prime agricultural land.

AND/OR

- * Transmission of energy resources should be compatible with existing and proposed land uses, with minimum disruption to the environment while promoting community development.

AND/OR

- * Energy transmission lines and pipelines should continue to cross the countryside and land should be made available for this purpose.
 - Transmission and pipelines should be integrated into a planned network that

recognizes the high priority of land for food and fiber production.

- Transmission and pipelines should be located so as to minimize disruption of normal existing and anticipated future activity.

AND/OR

- * State land preservation and development commission guidelines should be applicable when one or more counties are involved in energy transmission lines or pipelines are proposed.

AND/OR

- * The location of proposed pipelines and power transmission lines should include evaluation of the impact upon land according to its land capability classification.

AND/OR

- * Energy transportation facilities should be located as to minimize the reduced production of affected agricultural land and the impact upon other land. Local land use commissions should be a part of the location process for energy transmission facilities.

AND/OR

- * Transmission lines and pipelines should use existing corridors and rights-of-way, whenever possible.

ISSUE: THE PROTECTION OF PRIVATE PROPERTY RIGHTS

DESIRED GOALS AND OBJECTIVES

TO INSURE PRIVATE PROPERTY RIGHTS INSOFAR AS THEY ARE COMPATIBLE WITH THE OTHER GOALS

ALTERNATIVE RECOMMENDATIONS

- * Private property rights should be recognized and protected as a first priority.
 - Private property rights should be preserved by evaluating the impact of any proposed land preservation and development regulation or control upon the property rights of individuals. (Established land use policy should insure against arbitrary decisions.)
 - Owners should be able to retain ownership to land, as well as sell, give, or lease certain rights in the land.
 - There should be no prohibition against the construction of farmsteads, such as residential and necessary outbuildings for conducting farm operations.
 - The power of eminent domain should be restricted, with local government having the final decision-making power.
 - Public and private entities wishing to use eminent domain should be required to prove to the county planning and zoning commission that their plans are essential to the county and that they have followed the county's plan for the preservation of agricultural land.
 - All zoning (or land use) decisions should be determined at the county or municipal level with emphasis on the protection of private property rights.

and/or

- Local input in the development, revision and administration of land preservation and development policy should be assured so that infringement upon individual private property rights is minimized.

AND/OR

- * Individual property rights are of prime importance and should be recognized and

protected consistent with the rights of other property owners and the general public welfare, and with a spirit of responsibility for the preservation of our valuable (agricultural) land and natural resources. (Conflicts between personal property rights and the general public good should be carefully evaluated.)

- Certain property rights and activities should be curtailed by law or regulation if these activities permanently damage the land or other non-renewable resources and if the end result is seriously detrimental to the long-range interests of the people; examples of misuse of property rights include:

- * Cropping land in a manner that destroys its agricultural producing capability.
- * Converting prime agricultural land to other uses when less than prime agricultural land is available.
- * Action on land that causes pollution, affects water quality, or causes physical damage to other land.
- * Improper management of timber resources.
- * Unplanned expansion and development of urban uses.
- * Destruction or misuse of high priority critical areas of more than local significance.

AND/OR

- * Land use decisions by public bodies should be made in a manner to minimize the adverse effects on private property, yet maintain orderly development and use.
- * Where land is condemned for public use, due process of law should be observed and just compensation at fair market value provided. Property owners should be indemnified for restrictions and/or damage caused by land use decisions.
- * In addition to compensation awards, land taken for certain types of easements (pipelines, powerlines, etc.) should include annual rental payments to landowners.
- * Where there are challenges to land use decisions affecting property rights, the courts should be used to resolve the conflicts. Any aggrieved party in a land use

decision should have the right of appeal and judicial review.

- * A private property rights commission should be established with the authority to receive, investigate, and negotiate settlement of complaints where an individual feels his private property rights have been infringed. Such a commission would have authority to initiate a class action review -- acting for a group of land-owners that have a common concern related to an eminent domain project.

Foreign Ownership of Farmland

-
- * The state (commission) should explore the extent that foreign ownership is involved in Iowa agricultural land.

- If the concept of the family farm is found to be in jeopardy, the state General Assembly should enact legislation to help preserve the family farm.
- The state should improve (and strictly enforce) the established system for reporting foreign purchase and ownership of farmland.
- Foreign and big business interest in land should be controlled by acreage limits laws to preserve the family farm concept.
- Legislation should be enacted that would allow only United States citizens to own agricultural land in Iowa.

Abandoned Land

- * Abandoned (railroad and road) rights-of-way (, commercial and industrial sites, borrow areas, and the land in and around sandpits, quarries and landfills) should revert to agricultural, recreational or wildlife habitat usage. The best usage would depend upon the particular circumstances involved in each situation, such as the capability of the land and the needs and location of the area.
- For example, roads and rail lines being abandoned should be returned to the original property owners in areas of Corn Suitability Ratings of less than 60 and in areas of greater than 60, consideration should be given to development for conservation and/or recreation uses.

OR

- * Rights-of-way (of railroads) should revert back to adjoining owners when the land is abandoned.

OR

- * Owners of land adjacent to abandoned (railroad lines) (land) shall have the first option to purchase the abandoned rights-of-way at a fair price.
 - Conservation and recreation interests shall have the second opportunity.

or

- Other interested parties shall have the second opportunity.

and/or

- The state shall develop a program for the state to hold easements over these rights-of-way for possible future re-development for rail transportation, pipelines, electrical transport or other uses.

OR

- * Abandoned (railroad) rights-of-way should be converted to and preserved as wildlife habitats; horse, biking, or hiking trails; and other recreational uses.

OR

- * The state should make evaluations to ascertain which abandoned (railroad) land has potential future transportation (and transmission lines) value. The state should hold first option on this land until its future best use is determined. (This land would be beneficially used for wildlife habitat or recreation areas during the interim period.)

OR

- * Sell abandoned rights-of-way to the highest bidder.

ISSUE: THE EFFECT OF CURRENT LAWS ON LAND USE DECISIONS/THE RECOMMENDATION OF A STATE POLICY FOR THE GUIDANCE AND DIRECTION OF STATE AGENCIES IN THE USE OF LAND

Desired Goals and Objectives

To establish a state policy for the guidance and direction of state agencies in the use of land

Alternative Recommendations

Coordination of Agencies at the Local, County and State Level

* Improved coordination among state agencies and between state and local agencies should be required.

A. Establish the responsibilities and procedures for interagency coordination, for the purposes of:

- (1) Monitoring land preservation and development programs and report to Legislature.
- (2) Promoting planning coordination between local and state agencies.
- (3) Administering state financial assistance to local government for land preservation and development activities.

AND/OR

B. Establish a statewide planning council:

- (1) Representing rural and urban interests and local and state interests.
- (2) No new agency -- use existing institutions.

AND/OR

C. Reorganize existing natural resource agencies (particularly the Conservation Commission, Department of Environmental Quality, Natural Resources Council, and the Department of Soil Conservation) and/or more clearly define their

powers and responsibilities regarding land use and related resource areas.

OR

- D. State agencies which have impact upon the use of land in Iowa should be required to work more closely with groups and individuals affected by their various regulations and decisions, (as well as with the State and County Land Preservation Policy Commission). (The activities of) these various agencies should be (better coordinated) (reorganized) so that their duties and powers do not overlap or conflict with each other.

AND/OR

- E. Establish an organizational structure for interagency coordination.
- F. Require state agencies to report annually to the Legislature on the agencies' programs and projects that affect state land preservation and development policy.
- G. Require coordination between local and state agency activities and regulation
- (1) Mandatory participation in the statewide land preservation and development process.
 - (2) State and county compliance with local land use and zoning regulations.
- H. Provide for and include input, as appropriate, from:
- (1) The general public
 - (2) Interest groups
 - (3) Other agencies.
- I. Amend laws currently in force to assure improved coordination between local land use decision-making and state agency programs, including delineating, clarifying and simplifying the jurisdictional scope of land preservation and development responsibilities.
- J. There should be more elected and fewer appointed officials on state agencies, commissions, and boards.

Pollution

- * All environmental air, soil, and water regulations should be incorporated under one major set of rules.

OR

- * Provide for one coordinating agency in administering state (and federal) regulations dealing with water and air pollution, (soil erosion, and feedlot location and control).

OR

- * The agencies responsible for the enforcement of the present air, water and soil point and non-point source pollution regulations should increase efforts to obtain compliance with their laws and regulations through such techniques as public awareness and education programs and stricter enforcement of penalties for failure to meet existing standards.

AND/OR

- * Increase legislative support of soil and water programs that would increase cost sharing for soil and water conservation programs.

Transportation Coordination

- * The state policy concerning transportation should be to provide good transportation for all segments of society, keeping in mind probable future needs for growth and expansion, while at the same time guarding against unnecessary removal of land from otherwise productive use or the destruction of fragile or other critical areas:

OR

- * While transportation systems should be continually upgraded in order to provide fast, safe, economical and convenient movement of people and goods, our critical need to conserve energy, land and other resources must be recognized:
 - Existing rights-of-way and transportation corridors should be used wherever possible for the improvement, construction, and reconstruction of the highway

system (and all other modes of transportation).

and/or

- All transportation systems, including the transmission of energy resources should be developed compatible with the existing and proposed land uses, minimizing disruptions to the environment, and promoting community development.

or

- Transmission and pipelines should be routed so that energy is transmitted as economically as possible while using a minimal amount of Iowa's valuable agricultural land.
- Reduce the width of medians and rights-of-way, and the size of access areas.

or

- Restrict rights-of-way widths on all new road construction (to preserve farmland).

or

- As roads are built or repaired, they should use the minimum width right-of-way that is consistent with safety standards.
- Avoid diagonal highways (and other diagonal transportation systems) (except in situations where there is no reasonable alternative).
- Encourage and provide incentives for car pooling.
- Fund studies of the feasibility of closing little used rural roads.

or

- Pass legislation which will make it easier to close stretches of local road systems that are too lightly traveled to justify their use of land and road upkeep expense.
- Employ user fees and tax differentials to help achieve more efficient usage of energy.
- Provide exclusive bus lanes for smoother, more efficient traffic flow.
- Encourage and subsidize improvements of (existing) rail transportation.

- * The DOT should be required to consider the environmental impact and the effect upon private property owners of its plans to a greater extent.

AND/OR

- * Department of Transportation decision on location of new highway or other rights-of-way should be subject to a review process involving the State Land Preservation and Development Commission and county commission representatives from affected counties, so as to assure a proper balance between local and state and national transportation needs.
-

OR

- * The DOT should be subject to a more stringent review process before being allowed to proceed with any projects that require the conversion of more land to transportation uses. The review procedure should provide more citizen participation (and local land use commissions).

Recreational Land and Facilities

- Maintain and improve existing (open space and) recreational facilities (and provide for the development of needed additional recreation space and facilities) (on other than highly productive agricultural land).

or

- Develop a statewide listing of potential future recreation areas, and promote the preservation of selected areas for recreational use (by providing additional public funds for the purchase or lease of recreation areas).

and/or

- Explore the concept of joint private and public recreation areas.

Mineral Resources/Extraction

- * Provide sufficient funding for (the Iowa Geological Department to do) a detailed study of (coal and) all (other) minerals in Iowa so that these resources may be developed in a more efficient and orderly manner.

AND/OR

- * Require that operators of mineral extraction operations provide a reclamation plan prior to using a mining site; provide a source of revenue for revitalization of abandoned extraction sites by establishing a system whereby fees or taxes assessed against extraction industries are set aside for reclamation use.

- * Mineral resources lands should:

- Be identified by the state geologist.
- Have access preserved for present and future use through the implementation of zoning ordinances.
- Be appropriately reclaimed so that they are not unattractive or hazardous.
- Have developed and exhausted open mine sites reclaimed in accord with an approved plan, which would include stockpiling of soil and overburden.
- Restore abandoned sites to approximate former use.

AND/OR

- * Zoning should include the regulation of:

- Mining
- Quarrying

AND/OR

- * The use of land for mineral extraction and reclamation should be included in comprehensive plan guidelines.

AND/OR

* Land preservation policies should not restrict the development or utilization of mineral deposits; however, policies should provide for returning the land to an economic use.

AND/OR

* Commercial-sized mineral deposits should be protected and preserved for future use.

AND/OR

* Mining should be consistent with land preservation regulations and coordinated with federal and state regulations regarding operation and land reclamation.

METHOD OF IMPLEMENTATION: ORGANIZATION, AND PROCEDURES, DUTIES AND RESPONSIBILITIES

Alternative Recommendations

Organization:

I. County/Local

*Land preservation and development organizations should be permanently established by the General Assembly at the county/local level.

A. Establish land preservation and development commissions in each county, with the following organization:

(1) Members elected at-large in the general election

or

(2) Selected members (9 or 12) in a manner similar to the TCLPPC's from:

- Cities
- Boards of Supervisors
- Soil District Commissions

or

(3) Membership to be:

- 5 from the Soil Conservation District Committee
- 3 members from the mayors and councilmen of the county
- 3 members from the Board of Supervisors or appointed by the Board of Supervisors

(a majority of the membership to be farmers.)

or

(4) Composed of 7 members, with staggered terms and appropriate methods of selection:

- 1 Board of Supervisors
- 1 County Soil District
- 1 City Government

- 1 County Zoning Commission
- 1 Board of Health
- 1 Conservancy Board
- 1 Township Trustees

AND/OR

B. Establish a local control commission in each county, with the following organization:

(1) Formed from the 3 local governmental units:

- County Boards of Supervisors
- Soil District Commissioners
- Mayors and City Councilmen

(2) Administer and enforce county-wide responsibilities through an administrative committee, appointed by the Commission, with single representatives from each of the 3 local governmental units.

AND/OR

C. Establish a planning and zoning commission in each county and municipality in accord with (existing) state legislation.

(1) To determine, control and administer land use regulations

or

(2) To provide assistance to the county land preservation and development organization in developing land use controls.

D. Recommend that the General Assembly re-examine the appointment process for county (and city) planning and zoning commissions so that a broader base of representation is secured to balance the varied land interests in counties (i.e., similar to the membership requirements).

II. State

*A state land preservation and development organization should be established by the Iowa General Assembly.

A. Create a Department of Soil Conservation and Land Use responsible for:

- (1) The administration of programs relating to a state land use policy
- (2) The protection of soil and water resources
- (3) The prevention of soil erosion and sedimentation damage as provided by law.

B. Establish within the department a state land use policy commission consisting of thirteen voting members appointed by the governor with the consent of 2/3 of the members of the senate and fourteen nonvoting members. Makeup of the commission to be:

- (1) 6 members engaged in actual farming operations with each being a resident of a different soil conservancy district
- (2) 1 representative of the mining industry
- (3) 1 representative of a city with a population of over sixty thousand
- (4) 1 representative of a city at least ten thousand but not over twenty-five thousand
- (5) 1 representative of a city under ten thousand
- (6) 2 representatives of broad cross section of the public interest.

AND/OR

C. Establish a state land preservation and development commission comprised of representatives from:

- (1) Agriculture
- (2) Cities
- (3) Industry
- (4) Mining

or

- (1) State Conservation Commission
 - (2) State Soil Conservation Committee
 - (3) Other Land Resource Boards and Commissions
 - (4) State Geologist
 - (5) Other appropriate department and agency directors
 - (6) Urban representatives
 - (7) Farmer representatives
-

(At least 50% should be agricultural members)

AND/OR

- D. Utilize existing agencies and existing executive staff to support the state land preservation and development commission.

AND/OR

- E. Establish a private property rights commission with authority:

- (1) To receive, investigate and negotiate complaints from individuals regarding private property rights infringement
- (2) Upon petition, to initiate a class action review regarding private property rights.

METHOD OF IMPLEMENTATION: ORGANIZATION, AND PROCEDURES, DUTIES AND RESPONSIBILITIES

Alternative Recommendations

Procedures, Duties and Responsibilities:

I. County/Local

*A land preservation and development process should be mandated by the General Assembly to be established in each county and municipality, within the following framework:

- A. Develop land preservation and development policy for the county and municipalities
- B. Administer and implement land preservation and development policy for the county and municipalities

or

- (1) With specific exceptions, for example, soil loss would remain under jurisdiction of the soil conservation district.
- C. Inventory and evaluate on a continuing basis the physical, social, and economic resources of the county.
- D. Study and evaluate the current comprehensive plans, ordinances, policies and regulations of the county, special districts, and the cities within the county relating to land use.

AND/OR

- E. Review, evaluate, coordinate and approve all comprehensive plans, ordinances or regulations for land use, recommended or being prepared by the county, special districts and cities within the county to assure an integrated comprehensive plan for the county.
- F. Adopt guidelines (utilizing state guidelines) for the preparation of comprehensive plans for:

- (1) Solid waste disposal, sewage collection and treatment, and water supply and distribution
- (2) Siting and development of industrial, commercial, educational, cultural, residential and recreational facilities and areas
- (3) Designation, development, or use of local critical areas
- (4) Coordinated county-wide transportation system which shall include elements of a statewide transportation plan
- ~~(5) Designation, siting and development of confined feedlot operations which are not designated as state permit areas.~~

G. Develop required land preservation and development plans specifically tailored for each county and its cities, which would include both required and elective elements (reflecting local, county, regional and state needs) as follows:

- (1) Land use
- (2) Housing and basic building standards
- (3) Preservation and conservation of soil resources
- (4) Recreation and natural resources
- (5) Sewer, water and community facilities
- (6) Transportation.

AND/OR

H. Develop and implement county-wide land preservation and development plans through the following procedures:

- (1) Conduct surveys
- (2) Establish standards
- (3) Develop plans
- (4) Draft control ordinances

- I. Require zoning and other land preservation and development controls for counties and cities to implement the intent of county and city guidelines or plans for land preservation and development.

AND/OR

- J. Encourage counties and cities to develop land preservation and development controls for:
- (1) Orderly growth and development
 - (2) Efficient use of land resources.

AND/OR

- K. Place the responsibility for the implementation of land use controls, which are the tools for preventing future local land preservation and development problems:
- (1) With local (city and county) governmental structures
 - (2) Without regional or state supervision.

or

- (3) Involving regional and state agencies in programs when programs or projects overlap local jurisdictions.
- L. Employ injunctive relief as appropriate from conflicting actions or activities.
- M. Act as the final authority on any changes in land designated:
- (1) Prime agricultural land
 - (2) Critical areas and activities.
- N. Have appeal powers for the purpose of arbitrating county and municipal zoning decisions that conflict with:
- (1) County-wide land preservation and development plans
 - (2) State standards and guidelines.

- O. Review and approve special permits granted by local boards of adjustment.
 - P. Promote programs aimed at conserving rural areas.
 - Q. Provide a forum for addressing various city, farm and soil conservation problems and interests.
 - R. Review and re-evaluate county land preservation and development policy
 - (1) Every 5 years
 - or
 - (2) Periodically.
-

- S. Improve, clarify and update local enabling legislation related to:
 - (1) Zoning and platting statutes
 - (2) Planning and zoning statute correlation/interaction.
- T. Replace the 2 mile extraterritorial platting review with city-county coordination of land preservation and development plans.
- U. Require that city and county planning and zoning boards conduct several public meetings each year.

II. State

*A state land preservation and development process should be established by the General Assembly, within the following framework:

- A. Prepare (and recommend to the General Assembly) a state land use policy and state land use policy guidelines for the guidance and direction of state agencies, county land use policy commissions, cities, counties, and special districts on matters relating to land use.
- B. Provide for the preparation and revision of a state inventory of land and natural resources.
- C. Provide information and educational programs through existing educational institutions.
- D. Recommend criteria to the General Assembly for the designation of state critical areas.

- E. Recommend criteria for the designation of large scale developments and key facilities.
- F. Appraise the policies of state agencies to determine the impact of state agency actions on land preservation and development policies.
- G. Propose legislation deemed necessary to implement expressed land preservation and development policy objectives.
- H. Recommend criteria for the designation of mining operations as state permit areas.
- I. Establish by rule:
 - (1) Procedures for the review and approval of county land use policy guidelines
 - (2) Procedures for the review of comprehensive plans of cities, counties, and special districts
 - (3) Procedures for the review and approval of state agency comprehensive plans and plan modifications
 - (4) Procedures for the hearing and determination of a petition by a state agency.
- J. Prepare model zoning, subdivision or other ordinances and regulations and regulation to guide state agencies, cities, counties and special districts in implementing state and county land use policy guidelines.

AND/OR

- K. Establish state guidelines for land preservation and development:
 - (1) Implemented through existing county and city governments

or

 - (2) Implemented through county land preservation and development commissions.
- L. Participate in county policy activities only where counties fail to take appropriate action to:
 - (1) Develop county land preservation and development policies

(2) Designate and preserve critical areas.

- M. Resolve conflicts between counties and between state and local land preservation and development policies (for example, key facilities).
 - N. Require that local control be exercised through county and municipal zoning ordinances and other land use controls.
 - O. Involve the state land preservation policy commission in situations and proposals (for example, pipelines, highways, etc.) that involve more than one county.
-

(1) Include multi-county or regional input.

AND/OR

- P. Establish a variety of techniques to effectuate a state land preservation and development policy to achieve balance and equity in land use actions:
 - (1) Preferential tax system
 - (2) Preferential fee system
 - (3) Numerical restraints or quota system on development
 - (4) Public improvement and capital investment programs
 - (5) Public acquisition
 - (6) Transfer, dedication or purchase of development rights
 - (7) Zoning and land development controls
 - (8) Environmental (air and water pollution) controls.
- Q. Provide support to localities (with local control and upon request) within the broader scope of a state land preservation and development policy:
 - (1) Financial assistance/funding
 - (2) Technical professional support assistance
 - (3) Financing method for county and local requirements.

AND/OR

R. Provide financial compensation and reimbursement to county land preservation and development commissioners:

(1) Covering expenses incurred

(2) Salary or partial salary

or

(3) \$40 per diem.

A P P E N D I X B

LAND USE IN IOWA

Prepared for

THE TEMPORARY STATE LAND PRESERVATION COMMISSION

A. CLARE RUSSIE

EXECUTIVE SECRETARY

Prepared by:

Boyejo Adefuye
Iowa State University
Ames, Iowa
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A Brief Overview

The table on the following page presents statewide land use data from a variety of sources. As can be seen by comparing the grand totals of each of the eight sources, there is no agreement on the total area of the State of Iowa. This lack of agreement is perhaps one of the most significant factors regarding land use in Iowa, and a factor that the table quite effectively underscores.

The analysis in this report is brief. This brevity is a result of two factors. First, this table appears to be the first attempt to collate land use data for the State in a form useful for comparative purposes. Secondly, the table has not existed long enough to permit more than brief observations. Hopefully, this report will serve as a catalyst for other analyses regarding land use in Iowa.

One rather obvious recommendation that logically flows from a review of the table is that there is a need to coordinate land use information at the State level. Official State policies relating to land use should all be based upon the same set of data. Further, the most accurate and up-to-date data available should be used as the official State land use figures.

Item in Acres	SOURCE							
	(1) OPP 1978	(2) OPP 1977	(3) CNI 1977	(4) CNI 1970	(5) LUI 1976	(6) LILD 1978	(7) DOT 1977	(8) CARD 82 1978
Agriculture	33,340,000	33,532,293	--		32,123,000	35,529,730	33,456,000	33,802,582
Cropland	--	--	--	26,458,321	--	--	--	26,347,326
Pasture	--	--	--	3,968,631	--	--	--	--
Range	--	--	--	28,280	--	--	--	--
Forest land	--	--	--	2,585,585	2,259,000	a2,276,925	--	1,917,873
Total	33,340,000	33,532,293	--	33,040,817	34,382,000	35,529,730	33,456,000	33,802,582
Rural	--	--	35,093,432	--	--	--	--	--
Extraction	33,000	31,266	--	--	--	49,337	--	30,398
Other(Rural & Urban)	124,600	166,681	--	1,028,715	--	--	--	258,504
Total	157,600	197,947	35,093,432	1,028,715	--	49,337	--	288,902
Urban	--	--	734,163	--	--	--	--	979,237
Residential	250,200	275,200	--	--	388,300	395,217	228,800	239,225
Manufacturing	60,700	61,300	--	--	--	--	--	33,605
Wholesale/Retail/ Service	56,900	59,800	--	--	--	--	--	47,275
Urban & Built Up	--	--	--	1,564,033	--	--	--	149,775
Undeveloped (within Incorp. areas)	68,000	74,900	--	--	--	--	--	509,357
Commercial/Industrial	--	--	--	--	70,600	62,939	--	--
Total	435,800	471,200	734,163	1,564,033	458,900	458,156	228,800	979,237
Recreation/Conservation	612,500	529,700	--	--	--	--	676,000	487,719
Open Space	--	--	--	--	b35,300	b14,224	--	--
Federal Non-cropland	--	--	--	159,397	--	--	--	--
Total	612,500	529,700	--	159,397	35,300	14,224	676,000	487,719
Water	222,400	200,000	198,005	--	17,700	--	--	222,400
Reservoir (Conser- vation pool)	--	--	--	--	--	32,328	--	--
Reservoir (Flood pool)	--	--	--	--	105,900	122,009	--	--
Streams (Border only)	--	--	--	--	--	c70,441	--	--
Small Water Areas	--	--	--	45,941	--	--	--	--
Lake	--	--	--	--	--	94,239	--	--
Total	222,400	200,000	198,005	45,941	d123,600	319,017	--	--
Transportation	--	1,194,100	--	--	--	--	--	--
Highway	1,130,600	--	--	--	--	--	1,130,588	1,103,393
Airport	24,000	--	--	--	35,300	17,193	24,032	21,922
Railroad	105,300	--	--	--	--	--	105,399	95,426
Rural Roads	--	--	981,962	--	--	--	--	--
Rural Railroads	--	--	81,520	--	--	--	--	--
Total	1,259,900	1,194,100	1,063,482	--	35,300	17,193	1,260,019	1,220,741
Grand Total	36,028,200	36,125,240	36,025,600	35,838,903	35,035,100	36,387,657	35,620,819	36,027,200

Footnotes

- a. The figure is included in the agriculture figure.
 - b. The figures include urban open space only.
 - c. Only border streams (Mississippi, Missouri, Big Sioux, and Des Moines) are included in the streams category.
 - d. Inland rivers are not included in the water figures.
The figure includes only the Mississippi and Missouri rivers, lakes and reservoirs.
-

1. OPP 1978. Current Land Use Acreage estimates for Iowa: 1977 (Land Use Planning and Management in Iowa). Office of Planning and Programming. Revised as of January 12, 1978 to reflect current transportation figures. The figures were based on "Land Use Processes and projections, Interrelationships of Iowa Nonagricultural and agricultural Land Uses" by James A. Gibson. Method of data gathering includes a survey of representative cross section of 247 cities and all counties to determine local land use acreages for both 1960 and 1970. Transportation figures were obtained from the Iowa Department of Transportation.
2. OPP 1977. Iowa Office of Planning and Programming. Land Use Planning and Management in Iowa, 1977. 1970 figures are used.
3. CNI 1977. Conservation Needs Inventory, 1977. Estimates were based on an 0.68% sample of the total land area by National Erosion Inventory. Census data is also used. The figures are provided by the Iowa Conservation Needs Committee.
4. CNI 1970. Conservation Needs Inventory 1970. The data was gathered between 1966 and 1967. The estimates were based on 2% sampling of the total land area.
5. LUI 1976. Land Use in Iowa 1976. Iowa Geological Survey Remote Sensing Laboratory. Other sources of data include LANDSAT Satellite, U.S. Geological Survey, Iowa Department of Transportation and Federal Aviation Administration. The basic data was gathered between 1972 and 1973.
6. LILD 1978. Land Information for Land Use Decision-making: State of Iowa, May 1978. Prepared by Land Use Analysis Laboratory, Iowa State University, Ames. Use of LANDSAT Satellite imagery and Aerial Photography, and information from Iowa Geological Survey Remote Sensing Laboratory, 1972-73 figures.
7. DOT 1977. Iowa Department of Transportation, May 3, 1977. Other data sources include Office for Planning and Programming 1976, Iowa Conservation Needs Committee 1967, U.S. Department of Commerce 1970, Iowa Department of Agriculture 1977, Iowa Department of Revenue, Property Tax Division 1977, Iowa Conservation Commission

1976, Iowa Housing Finance Authority 1977, Iowa State Airport System Plan (I.S.U. 1972), Iowa Development Commission 1977, and Iowa Department of Soil Conservation 1977.

8. CARD 82 1978: Land Use Inventory and Projection Model with Applications to Iowa and its Subregions: Center for Agriculture and Rural Development, Iowa State University, Ames, October 1978. Other sources of data include U.S. Army Corps of Engineers, Kansas City District, U.S. Fish and Wildlife Service, Iowa Aeronautics Commission, Iowa Commerce Commission, Iowa Department of Agriculture, Regional Planning Commissions of Iowa and Iowa County Conservation Board. Methods of data gathering include survey by mail and other means of City Clerks, Sampling of 122 Cities and the Council of Local Governments. Data used was obtained between 1960 and 1974. The figures were the estimates of 1970 Iowa Land Use.
-

Analysis of Data Sources

- Agriculture The agriculture figure by CNI 1970 is based on 1967 data. Detailed breakdown of agriculture data is not available from other sources but the 1967 data would be less useful in providing current information.
- Rural In many instances, rural figures are included in the agriculture figures. There is no detailed information about rural land use. The CNI 1977 figures for rural is larger than the CNI 1970 figures because agriculture data is included in the former.
- Urban There is too much diversity in the area covered by each source. This makes comparisons difficult. Also the definition of items do not provide clear boundaries between activities under this category.
- Recreation/
Conservation There is a confused idea of lands designated for use in this category as urban, rural, or just recreation/conservation lands. Some lands under this category are counted as parts of undeveloped lands within incorporated areas, other (rural and urban), or just rural lands. The result is double-counting of the lands under the separate categories. This virtually eliminates possible comparisons in this category.
- Water There is no comprehensive accounting for the water bodies by the sources. Some water areas are too small to be included by methods employed, and sometimes some of the water areas are included in the recreation/conservation category thereby bringing more confusion.
- Transportation This category has been well covered. However, there are some differences in the figures provided by the DOT. These differences could be due to the construction of new local roads, reconstruction of roads, or railroad abandonments. There is a danger of double-counting because the figures are sometimes included in urban land area figures.

State of Iowa
Future Land Use Projections
In Acres

	Source		Change 1970-2000
	CARD 82 1970	CARD 82 2000	
Agriculture			
Cropland	26,347,326	25,847,763	-499,563
Pasture/Range	4,626,371	4,513,357	-113,014
Forest Land	1,917,873	1,837,493	-80,380
Other Farms	911,012	911,012	0
Total	33,802,582	33,109,625	-692,957
Rural			
Extraction	30,398	43,322	+12,924
Other (Rural & Urban)	258,504	--	
Total	288,902	43,322	
Urban			
Residential	239,225	879,389	
Manufacturing	33,605		
Wholesale/Retail/Service	47,275		
Urban & Built Up	149,775		
Undeveloped (within Incor. areas)	509,357		
Total	979,237	879,389	-99,848
Recreation/Conservation			
Open Space	487,719	763,767	+276,048
Federal Non-Cropland			
Total	487,719	763,767	+276,048
Water			
Reservoir (Conservation Pool)	222,400	222,400	
Reservoir (Flood Pool)			
Streams (Border Only)			
Small Water Areas			
Lake			
Total	222,400	222,400	
Transportation			
Highway	1,103,393	1,206,709	+103,316
Airport	21,922	29,475	+7,553
Railroad	95,426	58,973	-36,453
Rural Roads	--	--	--
Rural Railroads	--	--	--
Total	1,220,741	1,295,157	+74,416
Grand Total	36,027,200	36,027,200	

Analysis of Future Land Use Projections

- Agriculture:** The figures for this category were obtained from (1) Page 137, Table 17a of CARD 82 for 1970; and (2) Page 139, Table 17c of CARD 82 for 2000. The projections were that there would be loss of farm lands in three classes: cropland, pasture and range, and forest land.
- Rural:** In this category, figures used were obtained from (1) Page 86, Table 7a, and Page 137, Table 17a of CARD 82 for 1970; and (2) Page 98, Table 7c of CARD 82 for 2000. CARD Report 82 did not provide the data for "Other (Rural & Urban)" class for 2000 projections. Comparisons for this category are impossible because of this.
- Urban:** The figures for this category were obtained from (1) Page 78, Table 3 of CARD 82 for 1970; and (2) Page 97, Table 7c of CARD 82 for 2000. There was no breakdown of the year 2000 urban figures to reflect changes in the classes. However, projections indicated that there would be a decline in the Urban Land Use Acreage between 1970 and year 2000 by 99,848 acres.
- Recreation/Conservation:** Figures for this category were obtained from (1) Table 7a on Page 86 of CARD 82 for 1970; and (2) Table 7c on Page 98 of CARD 82 for year 2000. There is a projected increase in Land Use Acreage in this category.
- Water:** Water figure was obtained from Table 7a on Page 85 of CARD 82 for 1970. Although no 2000 figures were provided, it is assumed that no changes will occur in this category.
- Transportation:** Transportation figures were obtained from (1) Table 7a on Pages 85 and 86 of CARD 82 for 1970; and (2) Table 7c on Pages 97 and 98 of CARD 82 for year 2000. It was projected there would be increases in Highway and Airport Acreages and a decrease in Railroad Acreages. Overall there would be more acres devoted to transportation.
- Grand Total:** Although the 36,027,200 acre total is given for year 2000, the column cannot actually be added up due to internal inconsistency of the individual figures.

A P P E N D I X C

ASSESSMENT OF COUNTY LAND PRESERVATION AND DEVELOPMENT POLICY ISSUES

Introduction

House File 210, section 3(3) required that written recommendations for both a state land preservation policy and a land preservation policy for the county be submitted by each temporary county land preservation policy commission (TCLPPC) to the State Land Preservation Policy Commission. The county recommendations for a state policy were to address how to "provide for the orderly use and development of land and related natural resources in Iowa, preserve private property rights, preserve the use of prime agricultural land for agricultural production, preserve and guide the development of critical areas, key facilities and large-scale development, and provide for future housing, commercial, industrial and recreational needs of the state."

In developing their county policy recommendations, the TCLPPC's were required by House File 210, section 3(5) to consider the following:

- (1) The preservation of agricultural land for the production of food and fiber.
- (2) A review of the available resources, growth trends and land use issues of the county.
- (3) A review of the present comprehensive plans, ordinances, regulations and policies of the local units of government that have an impact on the use of land.
- (4) The development of a local land preservation policy for:
 - (a) Solid waste disposal, sewage treatment and an adequate water supply.

- (b) Siting of industrial, commercial, educational, cultural, residential and recreational facilities.
 - (c) Designation and appropriate use of critical areas.
 - (d) Coordination of a county-wide transportation with the state transportation system.
- (5) State land preservation guidelines for state agencies.
 - (6) Suggestions for the content of a state land preservation policy and methods for implementation.
 - (7) The implementation of a county land preservation policy.
 - (8) The preservation of private property rights.

Analysis Technique

In order to gain an understanding of statewide policy issues, an assessment of county land preservation and development issues was performed and is illustrated on the accompanying charts.

To help analyze all of these issues, the Cooperative Extension Service provided the county commissions with two similar questionnaires entitled, "Assessment of Land Preservation and Development Policy Issues of the County." The two forms consisted of a listing of sixteen issue areas from House File 210 and a number of sub-issues (nearly 100 on the long form and 22 on the short form) which were to be rated as either "not a concern," "a moderate concern," or "a serious concern" by marking the appropriate space. This format was employed by twenty county commissions. Because it was an established system, a similar rating system was used by the staff to analyze the statements about the various issues in all of the county reports.

The state commission was required by House File 210, section 4(4) to consider a number of specific issues in developing its policy recommendations. Therefore, the sixteen Cooperative Extension Service questionnaire issues and a number of the sub-issues were grouped under the six major issue headings that the state commission used in its work. Those issue headings are as follows:

- (1) The preservation of agricultural land for the production of food and fiber.

- (2) The control of urban sprawl and the orderly and efficient transition of land from rural to urban use.
- (3) Criteria for the designation and preservation of critical areas; designation of key facilities and the designation of large-scale development which will have impact beyond county boundaries.
- (4) Balance of anticipated energy resources and consumption.
- (5) The protection of private property rights.
- (6) The effect of current laws on land use decisions/the recommendation of a state policy for the guidance and direction of state agencies in the use of land.

Rating System

Statements in the 99 county reports about the six major issue headings and their sub-issues were categorized according to the following rating system:

A "3" signified that the issue was considered "a serious concern" by the county. For example, the statement "it is imperative that we preserve our agricultural land" would warrant a "3" rating.

A "2" meant that the issue was seen as "a moderate concern."

A "1" signified that the issue was "not a concern" in the county.

A "√" meant that while the issue was discussed by the county commission, it was not possible to ascertain the level of concern that was generated by the issue. For example, the statement "preserve our agricultural land" would receive a checkmark.

A blank space meant that no mention was made of the issue by the TCLPPC.

A "1.5 or 2.5" rating appeared only in the counties that used the Cooperative Extension Service questionnaires. A few of the counties used more than one form, or had a number of people fill out a form. In such cases, all of the answers were considered and averaged, with the figure being rounded off to the nearest one-half number. Counties using the questionnaire format are identified on the accompanying charts.

Two reports listed the issues in an order of importance to the specific county, in addition to making comments and recommendations. The ranking system used in those counties is included in the bottom half of the space allotted for those counties on the charts.

Organization and Summaries

The 99 counties are organized by Congressional district. At the end of each of the six districts there is a summary for the district. The first two pages of charts provide a summary for the state.

Assessment of County Land Preservation and Development Policy Issues

C-5

Issues

Preservation of
Agricultural Land
for the Production
of Food and Fiber

Control of Urban Sprawl and the Orderly and Efficient
Transition of Land From Rural to Urban Use

Land Preservation

Soil Erosion/
Conservation

Lack of Public
Education/
Information

Control of Urban
Sprawl and
Orderly Transition

Siting of Basic
Uses (Generally)

Industrial

Commercial

Feedlot and Live-
stock Facilities

Educational

Cultural

Residential

Recreational

Available Resources
Growth Trends

Solid Waste Disposal

Sewage Treatment

Water Quality/Supply

SUMMARY OF
ISSUE CHARTS

DISTRICT 1
(13 COUNTIES)

13

9

4

10

3

9

9

2

5

5

10

9

11

10

8

10

DISTRICT 2
(11 COUNTIES)

11

11

3

8

4

9

7

4

4

5

9

6

6

8

6

9

DISTRICT 3
(18 COUNTIES)

18

16

7

15

2

12

12

9

4

8

11

8

9

13

11

11

DISTRICT 4
(10 COUNTIES)

10

10

2

10

2

7

6

2

4

4

7

4

8

6

6

8

DISTRICT 5
(25 COUNTIES)

24

17

9

22

4

19

13

4

10

15

19

14

19

15

16

18

DISTRICT 6
(22 COUNTIES)

22

18

5

15

3

14

12

11

3

8

14

14

9

10

8

16

TOTAL

98

81

30

80

18

70

59

32

30

45

70

55

62

62

55

72

APPENDIX C

Assessment of County Land Preservation and Development Policy Issues

9-0 Issues	Criteria for the Designation and Pres. of Crit. Areas; Desig. of Key Facilities and the Desig. of Large-Scale Devel. Which Will Have Impact Beyond Co. Boundaries					Balance of Anticipated Energy Resources and Consumption	The Protection of Private Property Rights			The Effect of Current Laws on Land Use Decisions/The Recommendation of a State Policy for the Guidance and Direction of State Agencies in the Use of Land					
	Critical Areas	Key Facilities	Pipe and Transmission Lines	Large Scale Private Development	Mineral Resources/Extraction	Energy Impact	Private Property Rights	Foreign Ownership of Land	Abandoned Land	Effect of Existing Laws	Tax Incentives/Credits	Guide and Direct State Agencies	Transportation Coordination	Co. Plan, Regulations and Policies	City Plan, Regulations and Policies
SUMMARY OF ISSUE CHARTS															
DISTRICT 1 (13 COUNTIES)	13	6	4	5	8	6	12	0	8	8	10	10	13	9	9
DISTRICT 2 (11 COUNTIES)	9	1	5	1	2	2	6	0	4	2	4	7	8	5	4
DISTRICT 3 (18 COUNTIES)	16	7	10	3	10	6	16	5	9	7	8	17	17	16	12
DISTRICT 4 (10 COUNTIES)	9	8	0	6	10	7	8	0	3	6	3	10	8	9	8
DISTRICT 5 (25 COUNTIES)	21	10	7	6	16	10	21	1	9	8	4	19	19	16	12
DISTRICT 6 (22 COUNTIES)	19	13	11	4	11	11	16	1	12	6	13	22	17	17	14
TOTAL	87	45	37	25	57	42	79	7	45	37	42	85	82	72	59

Assessment of County Land Preservation and Development Policy Issues

C-7

Issues	Preservation of Agricultural Land for the Production of Food and Fiber			Control of Urban Sprawl and the Orderly and Efficient Transition of Land From Rural to Urban Use												
	Land Preservation	Soil Erosion/Conservation	Lack of Public Education/Information	Control of Urban Sprawl and Orderly Transition	Siting of Basic Uses (Generally)	Industrial	Commercial	Feedlot and Live-stock Facilities	Educational	Cultural	Residential	Recreational	Available Resources Growth Trends	Solid Waste Disposal	Sewage Treatment	Water Quality/Supply
District 1																
Benton Short form	3	3		√		3	3		2	2	2	2	2	3	2	3
Des Moines	3	√		√	√	3	3				3		3	3	3	3
Henry Long form	2	3	3	√		2	2		2	1	2	2	1.5	1	2	2
Iowa	3	√		3	√						3	3	3	√		√
Jefferson	√	√		3		√	√				3		√	√		√
Johnson	3					3	3		√	√	3	√	3	3		√
Lee	3	√	√	3	√			3			3		√	√	√	
Louisa	3		√									√				
Muscatine Short form	3			√		3	3		1	1	3	3	2	3	3	1
Poweshiek	3	√		3		√	√						√			
Scott Short form	3		√	√		1	1		1	1	3	2	3	2	2	2
Van Buren	3	√										√		3	3	
Washington	3	√		√		1	1	3			2	√	3	3	3	3
Times Cited as an Issue by the 13 Counties	13	9	4	10	3	9	9	2	5	5	10	9	11	10	8	10

APPENDIX C

Assessment of County Land Preservation and Development Policy Issues

8-C Issues	Criteria for the Designation and Pres. of Crit. Areas; Desig. of Key Facilities and the Desig. of Large-Scale Devel. Which Will Have Impact Beyond Co. Boundaries					Balance of Anticipated Energy Resources and Consumption	The Protection of Private Property Rights			The Effect of Current Laws on Land Use Decisions/The Recommendation of a State Policy for the Guidance and Direction of State Agencies in the Use of Land					
	Critical Areas	Key Facilities	Pipe and Transmission Lines	Large Scale Private Development	Mineral Resources/Extraction		Energy Impact	Private Property Rights	Foreign Ownership of Land	Abandoned Land	Effect of Existing Laws	Tax Incentives/Credits	Guide and Direct State Agencies	Transportation Coordination	Co. Plan, Regulations and Policies
District 1															
Benton Short form	2	2		2	✓	2	2		✓	2	✓	2	2	3	3
Des Moines	3	✓			✓		3		✓		✓	3	3	✓	✓
Henry Long form	2	2		2		2	1.5			2	✓	2	2	1.5	2
Iowa	3						3				✓	✓	3		
Jefferson	✓		✓		3		✓						3		
Johnson	3		✓		✓	✓	3		✓	✓		3	3	✓	✓
Lee	3	✓		✓	✓	✓	✓		✓	✓	✓	3	✓	3	3
Louisa	3										✓		3	✓	✓
Muscatine Short form	3	3		3	✓										
Poweshiek	3		✓				✓		✓	✓	✓	✓	3	✓	✓
Scott Short form	3	3	✓	3	✓	1	3			3	✓	2	✓	3	3
Van Buren	✓				✓		✓		✓		✓		✓		
Washington	3						✓		3	✓	✓	3	✓		
Times Cited as an Issue by the 13 Counties	13	6	4	5	8	6	12	0	8	8	10	10	13	9	9

Assessment of County Land Preservation and Development Policy Issues

6-C

Issues	Preservation of Agricultural Land for the Production of Food and Fiber			Control of Urban Sprawl and the Orderly and Efficient Transition of Land From Rural to Urban Use												
	Land Preservation	Soil Erosion/Conservation	Lack of Public Education/Information	Control of Urban Sprawl and Orderly Transition	Siting of Basic Uses (Generally)	Industrial	Commercial	Feedlot and Live-stock Facilities	Educational	Cultural	Residential	Recreational	Available Resources Growth Trends	Solid Waste Disposal	Sewage Treatment	Water Quality/Supply
District 2																
Allamakee	3	✓		3	3	✓		✓			3			3		3
Cedar	3	✓			✓								✓			
Clayton	3	3	✓	✓		✓		✓		✓	✓				✓	3
Clinton	3	3		✓	3	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Delaware	3	3			3	✓	✓		✓	✓	3	✓		✓	✓	✓
Dubuque	3	✓		✓		3	3				3	3	✓			
Fayette	3	3		3									✓	3	✓	3
Jackson	✓	✓		✓		3	3		✓	✓	3	✓	3	✓	✓	✓
Jones	3	✓	✓	✓		✓	✓	✓			✓		3	3		✓
Linn	3	✓	3			3	3				3	3		3		3
Winneshiek Long form	3	3		3		3	3	3	3	3	3	2		3	2.5	3
Times Cited as an Issue by the 11 Counties	11	11	3	8	4	9	7	4	4	5	9	6	6	8	6	9

APPENDIX C

Assessment of County Land Preservation and Development Policy Issues

C-10 Issues	Criteria for the Designation and Pres. of Crit. Areas; Desig. of Key Facilities and the Desig. of Large-Scale Devel. Which Will Have Impact Beyond Co. Boundaries					Balance of Anticipated Energy Resources and Consumption	The Protection of Private Property Rights			The Effect of Current Laws on Land Use Decisions/The Recommendation of a State Policy for the Guidance and Direction of State Agencies in the Use of Land					
	Critical Areas	Key Facilities	Pipe and Transmission Lines	Large Scale Private Development	Mineral Resources/Extraction		Energy Impact	Private Property Rights	Foreign Ownership of Land	Abandoned Land	Effect of Existing Laws	Tax Incentives/Credits	Guide and Direct State Agencies	Transportation Coordination	Co. Plan, Regulations and Policies
District 2															
Allamakee	3						3					✓	3	✓	
Cedar														✓	✓
Clayton	3		✓										✓		
Clinton	✓							✓			✓		✓		
Delaware	3		✓				3				✓	✓	✓		
Dubuque								✓		✓	✓	✓	✓	✓	✓
Fayette	3		3				3					✓			
Jackson	✓				✓		✓	✓							✓
Jones	3		3		3		3				✓	✓	3		
Linn	3										✓	✓	3	✓	✓
Winneshiek Long form	3	2	3	3			3		✓	3		3	2.5	2	
Times Cited as an Issue by the 11 Counties	9	1	5	1	2		2		4	2	4	7	8	5	4

Assessment of County Land Preservation and Development Policy Issues

II-2

Issues	Preservation of Agricultural Land for the Production of Food and Fiber			Control of Urban Sprawl and the Orderly and Efficient Transition of Land From Rural to Urban Use												
	Land Preservation	Soil Erosion/Conservation	Lack of Public Education/Information	Control of Urban Sprawl and Orderly Transition	Siting of Basic Uses (Generally)	Industrial	Commercial	Feedlot and Live-stock Facilities	Educational	Cultural	Residential	Recreational	Available Resources Growth Trends	Solid Waste Disposal	Sewage Treatment	Water Quality/Supply
District 3																
Black Hawk	3	✓	✓	✓		3	3	✓	3	3	3	3		3	3	3
Bremer - Youth and Adult forms	3	3		✓		2.5	2		2	1.5	2	2	2	3	2.5	3
Buchanan	3	✓	3	3		3	3	✓	✓		3		3	✓	✓	
Butler	3	3		✓		3	3			✓	3	✓		3	✓	✓
Cerro Gordo	✓	✓	✓	✓		3	3	✓		3		✓		✓	3	
Chickasaw	3	3		3				✓					✓	3	3	3
Floyd	3	3				✓	✓	✓					✓	✓		
Franklin Short form	3	✓		✓		3	2		2	2	2	2	2.5	2	2.5	3
Grundy	3	3						✓						3		
Hamilton	3	✓	✓	3		✓	✓					3		✓		✓
Hancock	3			✓									3			
Hardin	3	✓	✓	✓		✓	✓	3		✓	2	✓	✓	3		
Howard	3	3	✓	✓	3					✓	✓			3	3	3
Marshall	3					✓	✓	✓			✓			✓	✓	
Mitchell	3	3		2		3	3				✓				3	3
Tama	3	3		3	✓						3		✓	✓	3	
Worth	✓	✓		✓				✓		✓	✓					✓
Wright	3	✓	✓	✓		✓	✓					✓	3	3		
Times Cited as an Issue by the 18 Counties	18	16	7	15	2	12	12	9	4	8	11	8	9	13	11	11

APPENDIX C

Assessment of County Land Preservation and Development Policy Issues

C-12

Issues	Criteria for the Designation and Pres. of Crit. Areas; Desig. of Key Facilities and the Desig. of Large-Scale Devel. Which Will Have Impact Beyond Co. Boundaries					Balance of Anticipated Energy Resources and Consumption	The Protection of Private Property Rights			The Effect of Current Laws on Land Use Decisions/The Recommendation of a State Policy for the Guidance and Direction of State Agencies in the Use of Land					
	Critical Areas	Key Facilities	Pipe and Transmission Lines	Large Scale Private Development	Mineral Resources/Extraction		Energy Impact	Private Property Rights	Foreign Ownership of Land	Abandoned Land	Effect of Existing Laws	Tax Incentives/Credits	Guide and Direct State Agencies	Transportation Coordination	Co. Plan, Regulations and Policies
District 3															
Black Hawk	3		√		3	√	3	3		√	√	√	3	√	√
Bremer - Youth and Adult forms	2	2		2.5		2.5	3			2		2	2	2	2
Buchanan			3		√		3					√	√		
Butler	3			3			3					3	√		
Cerro Gordo	3				3		3	3	√		√	√	3	3	3
Chickasaw	3		√				3			3	√	√	3	√	√
Floyd	√							√				√	√	√	√
Franklin Short form	2	2		2.5	√	3	3	√		3		2	2	2	2
Grundy	3											√	3	√	√
Hamilton	3	√	√		3	√	3		√		√	√	√	√	√
Hancock	3						3			√		√		√	√
Hardin	3	√	√		3		√	3	√	√	√	√	3	3	√
Howard	3	√	3				3		3			√	3	√	
Marshall			√				3		√	√		√	√	√	√
Mitchell	3		3		3	√	3		√		√	√	3	√	
Tama	3		√		√	√	3		√		√	√	√	3	3
Worth	√	√			√		√	√	√				√	√	
Wright	3	√	√		3		3				√	√	√	√	
Times Cited as an Issue by the 18 Counties	16	7	10	3	10	6	16	5	9	7	8	17	17	16	12

Assessment of County Land Preservation and Development Policy Issues

81-3

Issues	Preservation of Agricultural Land for the Production of Food and Fiber			Control of Urban Sprawl and the Orderly and Efficient Transition of Land From Rural to Urban Use												
	Land Preservation	Soil Erosion/Conservation	Lack of Public Education/Information	Control of Urban Sprawl and Orderly Transition	Siting of Basic Uses (Generally)	Industrial	Commercial	Feedlot and Live-stock Facilities	Educational	Cultural	Residential	Recreational	Available Resources Growth Trends	Solid Waste Disposal	Sewage Treatment	Water Quality/Supply
District 4																
Appanoose Long form	3	3		✓		3	3		2	1	3	2	3	3	3	1.5
Davis - Own opinion form	3	✓		✓		2	1				3		2	2	1.5	2
Jasper	3	✓		✓	✓								✓	3	3	3
Keokuk	✓	3	✓	✓				✓								
Lucas - Long and short form	2	2		✓		1	1		1	1	1	1.5	3	1	2	1
Mahaska	✓	3		✓		✓					✓					
Marion - Long and short form	3	3		3		2.5	2.5		2	1.5	3	2	2.5	2	3	3
Monroe Long form	3	3		3		2	2.5		2	2	2	2	1	1	3	2
Polk	3	3	3	3	3								✓			✓
Wapello (15 ranked county issues)	3	✓		✓		✓	✓	✓			✓		✓			3
Times Cited as an Issue by the 10 Counties	10	10	2	10	2	7	6	2	4	4	7	4	8	6	6	8

Assessment of County Land Preservation and Development Policy Issues

C-14 Issues	Criteria for the Designation and Pres. of Crit. Areas; Desig. of Key Facilities and the Desig. of Large-Scale Devel. Which Will Have Impact Beyond Co. Boundaries					Balance of Anticipated Energy Resources and Consumption	The Protection of Private Property Rights			The Effect of Current Laws on Land Use Decisions/The Recommendation of a State Policy for the Guidance and Direction of State Agencies in the Use of Land					
	Critical Areas	Key Facilities	Pipe and Transmission Lines	Large Scale Private Development	Mineral Resources/Extraction	Energy Impact	Private Property Rights	Foreign Ownership of Land	Abandoned Land	Effect of Existing Laws	Tax Incentives/Credits	Guide and Direct State Agencies	Transportation Coordination	Co. Plan, Regulations and Policies	City Plan, Regulations and Policies
District 4															
Appanoose Long form	3	2.5		2.5	✓	2	3	✓	3		3	2.5	3	3	
Davis - Own opinion form	1	1		1	✓	1.5	2		1		2	1.5	2		
Jasper	3	✓			✓		3				3	3	✓	✓	
Keokuk					✓				✓	✓	✓	✓	✓	✓	
Lucas - Long and short form	1.5	1.5		1	✓	2.5	1.5	✓	1		1.5	1	2	1	
Mahaska	✓	✓			✓	✓				✓	✓		✓	✓	
Marion - Long and short form	3	2.5		3	3	3	2.5		2		2	2	3	3	
Monroe Long form	2.5	1		1	✓	2	1.5		1		2	2	3	2	
Polk	✓				✓		3			✓	3		✓	✓	
Wapello	✓	✓		✓	3	✓	3	✓			✓	3			
(15 ranked county issues)	15	13		10		5	2		8		14	8	7	7	
Times Cited as an Issue by the 10 Counties	9	8	0	6	10	7	8	0	3	6	3	10	8	9	8

APPENDIX C

Assessment of County Land Preservation and Development Policy Issues

C-15	Issues	Preservation of Agricultural Land for the Production of Food and Fiber			Control of Urban Sprawl and the Orderly and Efficient Transition of Land From Rural to Urban Use												
		Land Preservation	Soil Erosion/Conservation	Lack of Public Education/Information	Control of Urban Sprawl and Orderly Transition	Siting of Basic Uses (Generally)	Industrial	Commercial	Feedlot and Live-stock Facilities	Educational	Cultural	Residential	Recreational	Available Resources Growth Trends	Solid Waste Disposal	Sewage Treatment	Water Quality/Supply
District 5																	
Adair		3	✓		✓	✓	3		✓				✓	3	2		3
Adams		✓	3		✓	✓								3	✓		
Audubon Short form		2	✓		✓		1	1	✓	1	1	2	1	1	1	1	1
Boone		3	3	✓	✓		✓			✓	✓	✓	✓	3	3	3	3
Carroll		✓		✓	✓		✓			3		3	✓	✓	✓	✓	✓
Cass		✓				✓	✓				✓	✓		✓			
Clarke		3			✓	✓	✓	✓		✓	✓	✓					3
Dallas Long form		3	2				2	3		2	2	3	2	3	2.5	3	2.5
Decatur County Priority Order		✓	3	✓	✓		✓			✓		✓	✓	✓		✓	3
		7	2				15			11			13	10		4	1
Fremont		3	✓		✓						✓	✓		3	✓	✓	3
Greene		3	3	✓	✓						✓			✓	✓	✓	3
Guthrie		3			✓		✓	✓					✓	3			
Harrison		3	✓	✓	✓		3	3		✓	✓	3	✓	✓	3		3
Madison		3	✓		✓		3	3		3		✓	✓		3	✓	3
Mills		✓	✓		✓		✓				✓	✓	✓				

APPENDIX C

Assessment of County Land Preservation and Development Policy Issues

91-C Issues	Preservation of Agricultural Land for the Production of Food and Fiber			Control of Urban Sprawl and the Orderly and Efficient Transition of Land From Rural to Urban Use												
	Land Preservation	Soil Erosion/Conservation	Lack of Public Education/Information	Control of Urban Sprawl and Orderly Transition	Siting of Basic Uses (Generally)	Industrial	Commercial	Feedlot and Live-stock Facilities	Educational	Cultural	Residential	Recreational	Available Resources Growth Trends	Solid Waste Disposal	Sewage Treatment	Water Quality/Supply
District 5 (Cont.)																
Montgomery	✓	3	✓	✓			✓	✓			✓		3		✓	3
Page	3	✓	✓	✓		3	3	3			3		3	✓	✓	3
Pottawattamie	3		✓	3		3	3		✓	3	3	3	3	✓	✓	
Ringgold				✓									✓			
Shelby	3	3		✓		✓	✓		✓	3		✓				
Story																
Short form	3	3		3		3	2.5		3	2	2.5	2.5	3	2.5	2.5	3
Taylor	3	3		✓		✓							✓			
Union - Own opinion form	2			✓		1	1		1	1	1	1	2	1	1	1
Warren																
Short form	3		✓			2.5	2.5		2.5	2	2.5	2	3	3	2.5	3
Wayne	✓	3		3						✓	3			✓	✓	
Times Cited as an Issue by the 25 Counties	24	17	9	22	4	19	13	4	10	15	19	14	19	15	16	18

APPENDIX C

Assessment of County Land Preservation and Development Policy Issues

C-17

Issues	Criteria for the Designation and Pres. of Crit. Areas; Desig. of Key Facilities and the Desig. of Large-Scale Devel. Which Will Have Impact Beyond Co. Boundaries					Balance of Anticipated Energy Resources and Consumption	The Protection of Private Property Rights			The Effect of Current Laws on Land Use Decisions/The Recommendation of a State Policy for the Guidance and Direction of State Agencies in the Use of Land					
	Critical Areas	Key Facilities	Pipe and Transmission Lines	Large Scale Private Development	Mineral Resources/Extraction	Energy Impact	Private Property Rights	Foreign Ownership of Land	Abandoned Land	Effect of Existing Laws	Tax Incentives/Credits	Guide and Direct State Agencies	Transportation Coordination	Co. Plan, Regulations and Policies	City Plan, Regulations and Policies
District 5															
Adair	✓				✓		3		✓	3		✓	✓		
Adams	✓	1	✓	1	✓							✓	1		
Audubon Short form	1	2		2	✓	1	2		✓	2		2	2	1	1
Boone			✓						✓			✓	✓	3	✓
Carroll	✓	✓			✓	✓	✓		✓				✓		
Cass	✓	✓			✓		✓								
Clarke							3								
Dallas Long form	1.5	1	3	2	✓	3	3			1		3	2.5	2	2.5
Decatur	✓				✓	✓	✓		✓			✓	✓	✓	✓
County Priority Order	14				15	8	6					9	11	5	5
Fremont	3				✓		✓		✓	✓		✓	✓		
Greene	✓				✓	✓	✓					✓	✓	✓	✓
Guthrie	✓	✓	✓				3				✓	✓	✓		
Harrison	3				✓		✓		✓	✓	✓	3	✓	✓	
Madison	3	✓			✓	✓	3					3	✓	✓	
Mills	✓			✓			✓		✓			✓	✓	✓	✓

Assessment of County Land Preservation and Development Policy Issues

Issues	Criteria for the Designation and Pres. of Crit. Areas; Desig. of Key Facilities and the Desig. of Large-Scale Devel. Which Will Have Impact Beyond Co. Boundaries					Balance of Anticipated Energy Resources and Consumption	The Protection of Private Property Rights			The Effect of Current Laws on Land Use Decisions/The Recommendation of a State Policy for the Guidance and Direction of State Agencies in the Use of Land					
	Critical Areas	Key Facilities	Pipe and Transmission Lines	Large Scale Private Development	Mineral Resources/Extraction		Energy Impact	Private Property Rights	Foreign Ownership of Land	Abandoned Land	Effect of Existing Laws	Tax Incentives/Credits	Guide and Direct State Agencies	Transportation Coordination	Co. Plan, Regulations and Policies
District 5 (Cont.)															
Montgomery	3	✓	✓		3	3	3				✓	✓		✓	
Page	3				✓		✓					✓	3	✓	✓
Pottawattamie	3					✓	3	✓		✓	✓	✓	✓	✓	✓
Ringgold												✓	✓		
Shelby	✓						3	✓			✓	✓			
Story															
Short form	3					3	3					✓	3	3	3
Taylor		✓	✓		✓		3						✓	✓	
Union - Own opinion form	✓			1			3			1		3	1	✓	✓
Warren															
Short form	2.5	2.5	✓	3	✓	3	3			3		3	2	2	2
Wayne	✓				✓					✓		✓	✓		
Times Cited as an Issue by the 25 Counties	21	10	7	6	16	10	21	1	9	10	4	19	19	16	12

81-18

Assessment of County Land Preservation and Development Policy Issues

C-19

Issues	Preservation of Agricultural Land for the Production of Food and Fiber			Control of Urban Sprawl and the Orderly and Efficient Transition of Land From Rural to Urban Use												
	Land Preservation	Soil Erosion/Conservation	Lack of Public Education/Information	Control of Urban Sprawl and Orderly Transition	Siting of Basic Uses (Generally)	Industrial	Commercial	Feedlot and Live-stock Facilities	Educational	Cultural	Residential	Recreational	Available Resources Growth Trends	Solid Waste Disposal	Sewage Treatment	Water Quality/Supply
District 6																
Buena Vista	✓	3														3
Calhoun	3	✓		✓		✓	3	3			3	3		✓		3
Cherokee	✓	✓									✓					
Clay	3	✓		3		3									✓	3
Crawford	3	3	✓	3	✓	3	✓	✓				3		3		3
Dickinson	3			3		✓	3	✓		✓	3	✓				3
Emmet	3			3		✓	✓	3			✓	✓				
Humboldt	3	3		3		✓		3			3	3	3			
Ida	3	3				2		2				✓	✓			3
Kossuth	3	✓	3	3				3			3	✓	3			✓
Lyon																
Short form	3			✓		2.5	2		2	2	2	2	2	2	2	3
Monona	3	3		✓	3					✓			3			3
O'Brien	3		✓		✓		✓			✓	✓		3	✓		
Osceola																
Short form	3	✓				2	2		2	2	2	2	2	2.5	2.5	3
Palo Alto	3	3						✓								
Plymouth	3	✓		✓		✓		✓			✓				✓	3
Pocahontas - Long and short form	3	3		✓		3	3		2	2	2.5	2.5	2	2.5	3	3

Assessment of County Land Preservation and Development Policy Issues

C-20

District 6 (Cont.)	Issues			Control of Urban Sprawl and the Orderly and Efficient Transition of Land From Rural to Urban Use												
	Land Preservation	Soil Erosion/ Conservation	Lack of Public Education/ Information	Control of Urban Sprawl and Orderly Transition	Siting of Basic Uses (Generally)	Industrial	Commercial	Feedlot and Live-stock Facilities	Educational	Cultural	Residential	Recreational	Available Resources Growth Trends	Solid Waste Disposal	Sewage Treatment	Water Quality/Supply
Sac	3	3						✓								3
Sioux	3	3		✓		3	3		2	3	✓	✓	3	✓	3	
Webster	3	3	✓	3		✓	3						✓	✓	3	
Winebago	3	✓	✓	3		✓	✓		3	✓	3		✓	✓	3	
Woodbury	3	3		✓					3	3	3		3	3		
Times Cited as an Issue by the 22 Counties	22	18	5	15	3	14	12	11	3	8	14	14	9	10	8	16

Assessment of County Land Preservation and Development Policy Issues

C-21

Issues	Criteria for the Designation and Pres. of Crit. Areas; Desig. of Key Facilities and the Desig. of Large-Scale Devel. Which Will Have Impact Beyond Co. Boundaries					Balance of Anticipated Energy Resources and Consumption	The Protection of Private Property Rights			The Effect of Current Laws on Land Use Decisions/The Recommendation of a State Policy for the Guidance and Direction of State Agencies in the Use of Land					
	Critical Areas	Key Facilities	Pipe and Transmission Lines	Large Scale Private Development	Mineral Resources/ Extraction		Energy Impact	Private Property Rights	Foreign Ownership of Land	Abandoned Land	Effect of Existing Laws	Tax Incentives/ Credits	Guide and Direct State Agencies	Transportation Coordination	Co. Plan, Regulations and Policies
District 6															
Buena Vista			✓			✓	3		✓			✓	3	✓	✓
Calhoun	3				3		3		3		✓	3	3	✓	✓
Cherokee	✓				✓				✓		✓	✓	✓		
Clay	✓				3	✓	3		3	✓	✓	3	3	✓	
Crawford	3	✓	✓			3			✓		✓	3			
Dickinson	3										✓	✓		✓	✓
Emmet	3	3	✓		✓		3		✓		✓	✓		✓	✓
Humboldt		✓			✓	✓	3				✓	✓		✓	✓
Ida		2	3			✓					✓	✓	3	✓	2
Kossuth	3	✓					3			✓		3		3	3
Lyon															
2 Short forms	2	2	✓	1		3	2			2	✓	2	1	2	1.5
Monona	3						3				✓	3		✓	
O'Brien	✓	✓	✓		✓					✓		✓	✓	✓	
Osceola															
Short form	2	2		2.5		3	3			2	✓	2.5	2	2	2
Palo Alto	✓		✓		✓		3		✓		✓	✓	✓	✓	
Plymouth	✓	✓	✓		✓	✓			✓		✓	✓	✓	✓	
Pocahontas - Long and short form	2.5	2		2	✓	3	3	✓	✓	3		2.5	2	2	2

APPENDIX C

Assessment of County Land Preservation and Development Policy Issues

C-22 Issues	Criteria for the Designation and Pres. of Crit. Areas; Desig. of Key Facilities and the Desig. of Large-Scale Devel. Which Will Have Impact Beyond Co. Boundaries					Balance of Anticipated Energy Resources and Consumption	The Protection of Private Property Rights			The Effect of Current Laws on Land Use Decisions/The Recommendation of a State Policy for the Guidance and Direction of State Agencies in the Use of Land					
	Critical Areas	Key Facilities	Pipe and Transmission Lines	Large Scale Private Development	Mineral Resources/Extraction	Energy Impact	Private Property Rights	Foreign Ownership of Land	Abandoned Land	Effect of Existing Laws	Tax Incentives/Credits	Guide and Direct State Agencies	Transportation Coordination	Co. Plan, Regulations and Policies	City Plan, Regulations and Policies
District 6 (Cont.)															
Sac	3						3	✓			✓	✓			
Sioux	2	✓	✓			✓	3			✓	✓	✓	3	3	
Webster	✓	✓	✓	✓	3		3	✓		✓	3	✓	3	3	
Winnebago	3				✓		3	✓		✓	✓		✓	✓	
Woodbury	3	✓	3			3	✓			✓	✓	3	1	1	
Times Cited as an Issue by the 22 Counties	19	13	11	4	11	11	16	1	12	6	13	22	17	17	14

A P P E N D I X D

PART 1

EXPLANATORY NOTES FOR "SELECTED EXTRACTIONS FROM COUNTY REPORTS" AND "COMPILATION OF COUNTY RECOMMENDATIONS"

Introduction and Purpose

Section 4(3) of House File 210 charges the Temporary State Land Preservation Policy Commission with the responsibility of making recommendations for a state land preservation policy, and the method by which the state land preservation policy should be implemented. The latter recommendation is to include whether it is necessary or desirable for an existing or new state agency to be given the responsibility for monitoring, reviewing, or supervising the implementation of the state land preservation policy.

To provide the state commission with an understanding of the Temporary County Land Preservation Policy Commissions' (TCLPPCs') attitudes on these issues, selected extractions were taken from the 99 county reports (see Part 2, page D-7) and a compilation (see Part 3, page D-26) was made of the recommendations contained in those extractions. In particular, the materials were designed to show whether the county commissions perceived a need for: (1) a state land preservation policy, (2) state and/or local implementation of any land preservation policies, and (3) any state and/or county organizations or commissions.

Compilation and Analysis Format

Selected Extractions From County Reports (Part 2, page D-7):

The selected extractions from the TCLPPC reports were arranged alphabetically by Congressional district. The statements were direct quotes, with a minimum of editing, so that the intent of the county commissions was preserved. To prevent the extractions from becoming too lengthy,

they were limited to comments directly addressing the three issues listed above, with one notable exception. A substantial number of county commissions discussed the issue of whether all counties should be required to have comprehensive planning and/or zoning. Because of the importance and controversial nature of the issue, and in light of the fact that some type of coordination and support from the state would likely be necessary to implement the recommendations, extractions concerning the merits of requiring all counties to have comprehensive planning and/or zoning were included. So that these comments can easily be spotted, they are preceded by an asterisk (*) in the "Selected Extractions From County Reports" section.

Compilation of County Recommendations Concerning: Need for a Land Preservation and Development Policy; Recommended Organization (Part 3, D-26)

The "Selected Extractions From County Reports" listed in Part 2 have been analyzed and categorized in Part 3, "Compilation of County Recommendations Concerning: Need for a Land Preservation and Development Policy; Recommended Organization." Page D-26 of Part 3 summarizes the recommendations from the county reports for the entire state. The pages that follow the aggregated state results provide the summaries for each of the six Congressional districts.

The issue questions analyzed in the Compilation of County Recommendations section, as well as a brief description of the topic and sub-topic headings of those questions are as follows:

DO THE TCLPPC'S PERCEIVE A NEED FOR A LAND PRESERVATION AND DEVELOPMENT POLICY?

(1) State land preservation and development policy with local control:

(1A) State to provide strong support:

Counties falling within subsection (1A) "state to provide strong support" made three basic recommendations. First the report contained a specific reference to having a state policy or program. Second, it called for the counties and/or local governments to have control over the land preservation and development policy and implementation decisions. Finally, the report recommended that the state provide major support to the local governments. Statements to the effect that the state should provide guidelines or workable rules and regulations, coordinate county policies, or that where there is a conflict, state regulatory agencies' policies should override local decisions all fell within the "strong state support" category.

(1B) Some state aid and support:

Subsection (1B) "some state aid and support" is fairly self-explanatory. Counties categorized in (1B) suggested that there be a state policy or program and also stressed the point that local governments should control the land preservation and development policy and implementation decisions. These are the same requirements for (1A). The difference between (1A) and (1B) is that in the latter there was only a mention of the state assisting the local governments, with no specific recommendation.

(1C) State role not specified:

Counties in subparagraph (1C) "state role not specified" recommended that there be a state policy or plan, but beyond expressing a desire for local control and implementation, they made no further comment as to the role of the state.

(2) Delegation of authority to local governments:

(2A) State to provide strong support:

The difference between subsections (1A) and (2A) is simply that while both groups of counties recommended that there be a land preservation and development policy, the latter group called for it to be locally developed, controlled and implemented. The two subsections are similar in that both called for major support from the state.

(2B) Some state aid and support, (2C) no state involvement,

(2D) no mention of state's role:

In subsections (2B), (2C) and (2D) counties recommended that land preservation and development policies be controlled locally. In (2B) "some state aid and support" the state was to provide assistance to the counties, but was not to become involved to any large extent, without being specifically requested to do so. The counties in (2C) all made strong comments to the effect that they wanted "no state involvement" whatsoever in the development, control or implementation of the land preservation and development policies. Categorizing a county in (2D) "no mention of state's role" does not mean that county did not want the state to play any part in the process. It simply means that the county report either did not comment on the state's role, or did not specify it clearly enough for categorization.

(3) No recommendation:

The county commissions did not include any statements in their report about the need for a land preservation and development policy.

(4) Other recommendations:

The majority of statements in this section concern the need for

requiring all counties to adopt comprehensive plans and zoning. Other extractions addressed the inter-relationship between state and local land preservation and development policies and plans.

DO THE TCLPPC'S PERCEIVE A NEED FOR PERMANENT STATE AND/OR COUNTY LAND PRESERVATION POLICY COMMISSIONS (LPPC'S)?

(1) County Land Preservation Policy Commission (CLPPC):

(A) Make-up as provided in House File 210 for TCLPPC:

~~House File 210, section 3(1) mandated that every county use a specified format in the creation of the temporary county land preservation policy commissions. Counties listed in this section recommended that permanent county land preservation policy commissions be established, utilizing the formation process specified in House File 210.~~

(B) Unspecified make-up:

Counties falling in this category recommended that permanent county land preservation commissions be created, but they failed to make any statements regarding the number of people that should be on the commissions, how those people should be selected, or any other step in the formation process.

(C) Something functioning like the Temporary County Land Preservation Policy Commissions, but of a different make-up:

These counties suggested that permanent county land preservation policy commissions be established, but they recommended that the commission members be selected from different constituency groups than those listed in House File 210. The make-up that is recommended by the county commissions is included in parentheses.

(2) State Land Preservation Policy Commission (SLPPC):

Counties listed in this section recommended that a permanent state land preservation policy commission be established. Any recommendation that the county commissions made regarding whether a state land preservation policy commission should be administratively attached to an existing state agency is included in parentheses.

(3) Other recommendations:

Any additional comments that the county commissions made regarding the duties, organization, and coordination of the county and state land preservation policy commissions are listed in this section.

st District

SELECTED EXTRACTIONS FROM COUNTY REPORTS

- enton Primary land use decisions should be made on a county and local level. We recommend that the state policy be that each county will develop its own county land use policy.
- es Moines The state should establish individual county LPPCs to administer policies at the local level. The local commission should be given the power to carry out the established policies.
- enry A state land use policy should have a state commission which sets up guidelines, but the full power should be left up to the county land commissions. County land commissions should be able to work with adjoining counties on policies affecting more than one county. Approval of a state land use policy should be the responsibility of the legislature as submitted by state land use commission.
~~*County zoning statewide must be reached to meet the primary objective of a land use policy which is preservation of prime agricultural land for agricultural use.~~
- owa Land preservation policies must be the responsibility of local units of government to achieve such objectives as orderly growth, preservation of agricultural lands, and protection of critical areas. The state role should be to support local plans. . . In special cases of state-wide concern and critical impacts, state policies should establish a process by which such areas are identified with local governments maintaining the responsibility to develop local policies and procedures related to these needs. We recommend the establishment of a County Land Preservation Commission.
- afferson Due to wide variation of soil type among counties, thereby requiring a wide variety of solutions to land preservation problems, local control should be retained within the broader scope of a state land preservation policy. The TCLPPC felt any land use policies must be enforced and carried out by a local board with support from the state level.
- ohnson Land preservation policies must be the responsibility of local units of government to achieve such objectives as orderly growth, preservation of agricultural lands, and protection of critical areas. The state role should be to support local plans which can be directed to deal with such issues. In special cases of state-wide concern and critical impacts, state policies should establish a process by which such areas are identified with local governments maintaining the responsibility to develop local policies and procedures related to these needs. Examples of state-wide concern would be major electrical generating stations, regional airports, state parks and recreational facilities, and protection of unique regional natural features
- The county and all municipalities shall have coordinated land development plans. A locally appointed group in each county similar to the TLPPC's representing relevant local bodies of government shall determine that the respective land development plans meet needs within that county, and shall lead in their coordination. The state legislature shall prescribe both required and elective elements to be included in such plans and regulations, but the findings and decisions regarding their content will be determined by the local governmental

units. State financial assistance must be available when requested by local units of government, to accompany any requirements for local planning. The local commission shall review and re-evaluate land preservation policies as needed, at least every 5 years.

Lee

For the common good and general welfare of people everywhere and for the benefit of generations yet unborn we urge the state legislature to work quickly, with reason and care, to enact a state land use policy.

*If agricultural land is to be preserved for the production of food and fiber, then all units of local government -- cities, counties, special districts -- with responsibility for making decisions in regard to the use of land must have an up-to-date comprehensive plan.

*A Department of Soil Conservation and Land Use should be created. It would be responsible for the administration of programs relating to a state land use policy, the protection of soil and water resources, and the prevention of soil erosion and sedimentation damage as provided by law.

*Within the department, a state land use policy commission should be created. The duties of the state commission among other things would be to: prepare and recommend to the general assembly a state land use policy and state land use policy guidelines for the guidance and direction of state agencies, county land use policy commissions, cities, counties, and special districts on matters relating to land use; provide information and educational programs through existing educational institutions; establish by rule procedures for the review and approval of county land use policy guidelines, procedures for the review of comprehensive plans of cities, counties, and special districts, and procedures for the review and approval of state agency comprehensive plans and plan modifications; and prepare model zoning, subdivision or other ordinances and regulations and regulation to guide state agencies, cities, counties and special districts in implementing state and county land use policy guidelines. The state land use commission should consist of thirteen voting members appointed by the governor with the consent of 2/3 of the members of the senate, and fourteen non-voting members. The commission makeup should be: 6 members engaged in actual farming operations with each being a resident of a different soil conservancy district; 1 representative of the mining industry; 1 representative of a city with a population of over sixty thousand; 1 representative of a city at least ten thousand but not over twenty-five thousand; 1 representative of a city under ten thousand; and 2 representatives of broad cross section of the public interest.

*County land use policy commissions should be created. Duties of the county commissions among other things would be to inventory and evaluate on a continuing basis the physical, social, and economic resources of the county, and to review and approve all comprehensive plans, ordinances or regulations for land use, recommended or being prepared by the county, special districts and cities within the county to assure that recommended uses are consistent with county land use guidelines. The county commission should consist of eleven members, with the following makeup: 5 from the Soil Conservation District Committee; 3 members from the mayors and councilmen of the county; and 3 members from the Board of Supervisors or appointed by the Board of Supervisors. It is recommended that a majority of the membership be farmers.

Quisa Establish a county agricultural land preservation policy commission. This commission will serve as a liaison between local people and state environmental agencies.

Scatline Decision making on land use policy and zoning issues should continue to be made at the local level. It is recommended that the state not have veto power over the development of a county land use plan. The State of Iowa should have a policy requiring all counties to formulate long-range comprehensive land use plans, zoning ordinances, and zoning maps to implement the intent of the comprehensive plan.

Weshiek It has been felt strongly by members of this Commission that land use controls which are tools for the solution of future problems should be lodged in local government structures (city and county) with virtually no supervision by regional and/or state agencies.

*All cities, towns (and counties) should be encouraged to develop (comprehensive) plans and (zoning) ordinances that will allow for orderly growth and development and encourage efficient land use practices.

Cott Local control of land preservation issues should be maintained through existing zoning boards and other agencies in cities and counties. The state should provide policy guidelines and sufficient enabling legislation to allow local governments to guide development.

an Buren Local control of any land use policy is required. Local acceptance of land use regulation will be by a voting referendum within each county.

ashington The county and local levels should be where major land use determination and decision making occurs because they are most intimately affected by land use decisions. County and local governmental bodies adopt and implement effective local land use plans that identify and solve local needs . . . All state agencies should be required to adhere to policies of local land preservation committees unless the need of the larger area (such as the state) is definitely obvious.

*To implement county land preservation policies, a local control commission should be formed from the board of supervisors, district soil commissioners, and mayors and city councils. They should establish guidelines and policy on land preservation within a county level, with some state guidelines and administration to insure uniformity on the state level. This local control commission be empowered by state legislation to make the necessary survey, standards, ordinances, and plan to implement their guidelines and policies.

*Administration and enforcement of control commission be through an Administrative Committee appointed by the above commission. A committee consisting of 5 appointed representatives: one by the Board of Supervisors, one by the Soil Conservation Commissioners, one by representative of mayors and city council persons of the county, one by the County Extension Council, and one by and representing School Boards of the County.

2nd District

- Allamakee County land preservation policies should be tailored to the individual county needs and problems. Control of the policy shall be at the local level by the CLPPC's with the aid of the County Zoning Commission.
- Cedar All phases of land use should be left in control of county or city governing bodies. A county land preservation commission similar to the TCLPPC should be organized to function as needed to identify issues, formulate policy recommendations and recommend goals.
- A state level agency patterned after the TSLPPC should be developed to deal with major needs. It should provide guidelines for coordination of local land use plans . . . and professional land use planners technical assistance on a regional basis. . . It should not have a veto power over county plans, and it should utilize existing agencies.
- *All counties should be required to adopt a zoning ordinance and a subdivision code.
- Clayton Any land use plan for the state should be tailored to individual county needs and problems with the major control of the plan established at the county level. The state plan should allow flexibility to counties so that local conditions and existing land preservation functions can be implemented into the county's plan for wise land use. . . It will be the responsibility of the county commission to implement and enforce the state land use plan as determined by the state legislature. They will need to establish the county guidelines allowed through the flexibility of the state plan and to determine the land suitability ratings for all land areas within the county.
- Clinton It has been the overriding consensus to locate and maintain the development and enforcement of land use policy at the county level. To do this, a permanent policy commission should be established utilizing the membership guidelines established under H.F. 210. The powers of this Commission should include the development of a county-wide comprehensive plan, the coordination of municipal and county land use decision bodies, and the promotion of programs aimed at conservation of the rural areas.
- Delaware A majority of those expressing opinions emphasized that the control of land use policy implementation shall be established at the local level through existing agencies. County land preservation policies should be tailored to the individual county needs and problems -- but must conform to the state land use policy plan.
- Policy implementation suggestions include: The establishment of a permanent county land preservation policy commission similar to the TCLPPC to coordinate the implementation of land use and preservation policies; the establishment of a permanent SLPPC which would have responsibility to appraise the policies of all state agencies, propose legislation deemed necessary to implement action to achieve expressed land policy objectives, and resolve conflicts between CLPPC's in situations where state interests and objectives override local policies.
- Dubuque The state legislature should amend laws currently in force to assure improved coordination of local government land use decision making. The jurisdiction scope of city and county regulations must be clarified and development regulation processes better coordinated between various interests. The programs of state agencies should also be better

Dubuque
(Continued) coordinated, and state policies influencing local land use patterns should be reviewed for their compliance with state and local objectives.

The permanent institution of a county land use policy commission may be desirable as a forum for addressing the various city, farm and soil conservation district interests.

Fayette If a land use law is created, it is highly recommended that the law be carried out through a locally controlled county land preservation commission. Alternative: All land preservation problems affecting only the county and its residents would be controlled by the county commission. If some situations involve more than one county, then state guidelines and the state land preservation commission should be involved.

~~Jackson Same as Clinton.~~

Jones The State of Iowa should adopt land use policy standards and guidelines, and provide for development and implementation of local plans by local land use commissions.

Linn The state legislature should provide for a CLPPC, which would have full responsibility for developing a county plan for land preservation and would be the final authority on any changes in the use of land designated by the commission as fragile or prime agricultural land. County and city zoning commissions would be responsible for enforcement of policies adopted by the LPPC.

A SLPPC should be provided for by the state legislature. The state plan should provide a guideline for counties but should not have direct control over county policies unless counties fail to take appropriate action to preserve critical areas.

Winneshiek The TCLPPC would have to go on record based on the 3 public hearings held that the majority of citizens attending the hearings did not favor any type of land use measures. They felt that any type of land use regulations should be determined, controlled and administered from the local level. Some concern was expressed that issues that would affect more than one county would need some multi-county or regional input.

- Black Hawk Being ever fearful of the creation of another level of bureaucracy and further erosion of local control and reinforcing our willingness to deal with our own problems by recognizing that the citizens of a given county are the most qualified to address the land use problems of said county, we therefore recommend that the state land preservation policy be that each county shall develop and implement its own comprehensive land preservation policy.
- A land preservation advisory commission whose makeup is similar to the temporary county land preservation policy commission shall be formed and shall coordinate policy among existing county, city and town governments, boards, and commissions.
- Bremer Keeping local control when issuing policy statements for the best land use was a "main concern." The Commission also recommended that there be state or federal land use policy guidelines concerning private property rights, and that the state and county land use plans be closely coordinated for pollution control.
- Buchanan The continued coordination of local citizen groups and statewide legislation can accomplish the goals of the commission to make Iowa a better place to live for this and future generations.
- Butler A state policy commission should be established with a hired professional to coordinate county policies. A County Board of Adjustment would hear proposals for non-conforming land uses. A local land use administrator would be hired to enforce policies. This person may be combined with the present zoning administrator.
- Cerro Gordo Although the people of Cerro Gordo county generally favor a land preservation law passed by the state legislature, they feel strongly that it should be administered at the local level.
- Chickasaw The first of two major concerns listed as being voiced at the public hearings and at the commission meetings was "the need for local control of land use policy decisions."
- Floyd A land preservation plan should be created and regulated by local governing bodies, since they could better understand local needs. However, state regulations could serve as guidelines where problems might arise between adjacent counties.
- In order to implement a land use plan for the State of Iowa, the Legislature should accept recommendations to it by State LPPC and incorporate it into the Code of Iowa under one heading of State Land Use Policies; and administered by County LPPC's or through a joint city and county planning commission and zoning board.
- *All cities and counties should be required to have comprehensive plans and planning and zoning commissions, who will coordinate their respective objectives for the benefit of the general public. . . County zoning should be required to be kept current to meet new trends and needs.

*In order to implement a land use plan for the state of Iowa, the legislature should accept recommendations to it by the TSLPPC and incorporate it into the Code of Iowa under one heading of State Land Use Policies; it should be administered by county LPPC's or through a joint city and county planning commission and zoning board.

Franklin "The feelings of the commission and the public are expressed in the following statement: 'Land use decisions and enforcement should be carried out on a local level in the cities, towns and counties, and not be administered from the state level.'"

Grundy Provide for local control in all land use policy recommendations made by the state.

Provide for one coordinating agency in administering state and federal regulations dealing with water pollution, air pollution and feedlot locations.

*We prefer that all cities and counties develop their own comprehensive plans, coordinate them, and develop zoning regulations for each. These regulations should be updated regularly and could be used to control the siting of facilities.

Hamilton Support legislative proposals which only establish guidelines for county and city control of the implementation and governing process.

A county-wide agency should be established to administer local land use policy.

*Within the next two years comprehensive planning and zoning programs should be established in the counties and communities of Iowa.

Hancock State policy recommendations should: include enabling legislation to establish county land use commissions, in order to provide for consideration of local county interests; assign land preservation policy decisions primarily to local government; establish a State Land Use Commission; place the Land Use Commission within the Department of Soil Conservation and Land Preservation, and assign to it the function of coordinating the work of county land preservation commissions.

*County and state land use issues indicate a concern for. . . the timeliness of a comprehensive land use policy for state and local areas. . . and a need for zoning ordinances. . .

Hardin Land preservation and use should be regulated by local governing bodies, since they would better understand local needs; however, state regulations might serve as guidelines.

The legislature should make the Conservancy District Board the intermediate authority for land preservation. There would need to be no duplication, no extra bureaucracy to accomplish the correlation of intermediate plans and settle city and intercounty disputes. The Board would also be familiar with problems involving 20 to 30 counties. The state is already divided into 6 conservancy districts and the Conservancy District Boards are already functional. Conservancy District Advisory Committees have been active for 4 years and are of proven capability.

The State Department of Soil Conservation is recommended as a probable department for final authority of land preservation, as it is the department with the most expertise for this type of work. If state government should be reorganized it is recommended that the Department of Resources be used as the state authority.

*All cities should be required to have zoning ordinances. County zoning should be required through a local board.

Howard

Any land use regulations in the county shall be administered by a represented group of county residents. In order to have an effective regulation it is necessary to have a well established group which has the power to enforce and administer the regulations. The TCLPPC recommends that legislation be passed to allow the board of supervisors to appoint citizens to administer land use regulations in the county.

Marshall

All zoning and/or land use should be determined at the county or municipal level with emphasis on the protection of private property rights.

Permanent administration of the state land use policies should be implemented by the State Soil Conservation Committee and the County Conservation Districts.

*The state legislature should require county zoning through an elected county board upon completion of the county soil survey, and have land zoned according to whether the land is suitable for agricultural or other uses as indicated in the county soil survey.

Mitchell

The state legislature should provide guidelines for county zoning ordinances to insure needed uniformity for administration purposes in areas or projects affected by two or more zoning units, but at the same time permitting maximum local control of zoning ordinances and their administration.

Tama

The Tama County TLPPC highly recommends that a permanent state land use commission be established by legislative action. It furthermore recommends that this state land use commission have considerable authority and responsibility for coordinating land use programs at the state and regional levels, including the responsibility for final approval of any large scale developments involving land use considerations.

We recommend this commission be structured in much the same manner as the state TLPPC. No permanent "regional" commissions are recommended. It is suggested that County Land Use Commissions be tied directly to the State Commission for guidelines, assistance and support and that when the state commission is faced with decisions involving a group of counties, representatives of those County Land Commissions sit with the state commission and take part in the decision making process.

The state land use commission should have authority to effectively block proposed projects and programs at state and regional levels if, and only if, critical resources are seriously endangered.

Worth

We believe that local control should be maintained on all land preservation policies through existing governing bodies.

Wright

To insure that the use of land is regulated by local government in a manner which insures equitable enjoyment of the rights of property ownership we encourage the use of local land use plans, and recommend that the governing body in the counties be elected from the city governments, board of supervisors, and soil district commissions.

It is deemed advisable to include a representative from a development commission, a livestock producer, a grain farmer, and an agri-businessman.

4th District

- Appanoose Land preservation and use should be regulated by local governing bodies since they would better understand local needs. It is the belief of this commission that regulations, ordinances, and restrictions are more acceptable when governed by local individuals who are familiar with the needs, problems, and life styles of the area.
*Land in the county should be zoned through a local zoning board based on a comprehensive plan. . . It is the belief of this commission that zoning is the most appropriate means of implementing a land use policy.
- Davis Land preservation policies should be based on broad state guidelines with specific policies developed, administered and controlled by CLPPC's in cooperation with all county government agencies.
Land use policies proposed on the county level should be approved by 60% of the voters before they are adopted.
- Jasper A state land preservation policy must contain those elements necessary for the orderly use and development of land and related natural resources of the county. . . Implementation of such policy can best be handled on a county-wide basis. This responsibility would have to be delegated to a "County Land Use Commission," appointed by the County Board of Supervisors.
- Keokuk Land preservation policies should be based on broad state guidelines with specific policies developed by CLPPC's in cooperation with all county government agencies.
If a permanent SLPPC is created to administer and police land preservation laws, we recommend that these duties be delegated to the State Department of Soil Conservation.
Land use policies proposed on either the county or state level should be approved by 60% of the voters before they are adopted.
- Lucas The Soil Conservation Service, Board of Supervisors, city and town councils and/or other locally elected bodies should be responsible for implementation and enforcement of land use policies.
*All incorporated cities and towns should adopt comprehensive plans to assist in orderly development.
- Mahaska All policies concerning land use shall be controlled locally where none conflict with state regulatory agencies.
Any permanent land preservation agency should be composed of elected officials similar to the Temporary Land Preservation Commission, and not appointed officials.
*All incorporated cities and towns should adopt comprehensive plans to regulate their growth.
- Marion There is a need for a duly elected permanent land use board in each county. This board should be fully authorized to rule on land use policies. It should in no way be subservient to state or federal agencies.

Monroe

All policies concerning land use shall be controlled locally. The local board will follow basic state standards. The state will have veto power, but the county can override this with a 2/3 vote. . . . Access to the land preservation policy information should be provided by the Extension Service and Soil District Commission.

*A county zoning plan should be required and administered by a local board.

Polk

This commission strongly emphasizes the importance of local control over land use decisions. Only if a land development proposal includes lands which have statewide significance relating to critical environmental areas and key facilities will it be necessary for state approval.

Ten major state agencies are involved in activities which affect land use, and six others have impact. We believe that serious effort should be made to eliminate duplication within these governmental units regarding land use; and we believe that a state level land use department should be established to coordinate activities, and to formulate overall policy guidelines based on inputs from the "local level up."

*Counties and cities shall prepare and implement regulations which provide for comprehensive planning, zoning and subdivision guidelines, along with standards for site and building developments.

*The existing state agencies connected with land use decisions shall be organized to provide for coordination of efforts which should result in less duplication. Cities and counties shall do likewise.

Wapello

Local planning and decision-making is essential to the success of the land preservation policy of Iowa. A county land preservation commission should be established to implement the county policy. State policy and implementation will require enabling legislation and development of consistent and workable rules and regulations.

- Adair Control of land preservation policy should be located within the county and the county should exercise legal control in establishing and administering its own policies. If the state designs a land use plan, it should be very general, carrying only broad guidelines for county plans. One overall state plan with a state governing board is not recommended by this committee. We feel that if there are state policies that counties need to consider, that these state policies be advisory in scope and not mandated regulations. Counties across the state have vastly different problems relating to the use of natural resources. What is good for one may not necessarily be good for another.
- It is recommended that a local board of adjustment be elected for implementing the county policy and handling any variances from the land preservation policy that might be developed in the county. It is assumed that the individual towns would take care of land use policy within their city limits.
- Adams The majority of county residents who attended the hearings ask that no state land use policies be adopted.
- The TCLPPC strongly recommends that the control and enforcement of land use policies be kept at the local level. When the need arises, cooperation between adjacent areas should be encouraged without additional state regulations. Local people who are familiar with the social, economical, and physical background of their area can better assess their needs concerning land use policies. Existing county and city governmental bodies should control and enforce land use policies without the development of a new commission.
- Audubon We recommend that any permanent land preservation policy commission established shall have the same membership ratio as the TLPPC as ordered in H.F. 210. . . "A state land use policy should consist of county land use policies developed by county commissions, with consideration of guidelines from a state land use commission." Approval of the state land use guidelines should be the responsibility of the legislature rather than a state land use commission.
- Boone We recommend a state land use plan that is implemented and controlled locally.
- Pass legislation to have a permanent land use commission, the members to be appointed in the same manner as the temporary commission. Set up a local commission to work with area and state commissions.
- *We recommend that cities and towns, regardless of size, have zoning and planning.
- Carroll Insure that the use of land is regulated by local governments in a manner which insures equitable enjoyment of the rights of property ownership.
- Cass The Cass County Commission believes in grassroots control, feeling that each county must deal with its own specific issues in a way that will benefit the residents. Therefore, the Cass County LPPC recommends that the local county be given the legal right to establish and administer its own policies. At the same time the Commission recognizes a need for a state policy commission to act in an advisory capacity. It is the recommendation of this Commission that the makeup of such a body be similar to that recommended at the county level for the county land use policy commission.

Cass
(Continued) In view that the State Soil Conservation Department has the experience and the close cooperation of the Soil Conservation Service for technical assistance to initiate land preservation policy without excessive additional layers of administration, the Cass County Commission therefore recommends the State LPPC be placed in the State Soil Conservation Department for administration.

Clarke The decision and control of any and all land use issues should remain strictly and solely with the people of the local county. The State should develop definitions and suggested guidelines for the development of local land use plans, but locally elected officials should develop the county and city land use plans.

Dallas The preservation of agricultural land for the production of food and fiber. . should be controlled locally.

Decatur

There should be a set of state guidelines concerning land preservation and these guidelines should be fairly uniform among the counties. There is recognized variance between counties as far as resources and local conditions and needs are concerned, and state guidelines should allow for this variance. A state land preservation commission will be required to develop these guidelines, and a county commission should be selected to provide local review and implementation.

A state commission should be representative not only of the people, but of the specific land areas which exist within the state. Congressional districts are too broad to be representative of the land. We favor representation by planning or soil conservancy districts.

As the Soil Conservation District Commissioners, Board of Supervisors, and Mayors of the towns are the ultimate authorities within the counties concerning land use matters, representation on both county and state commissions should be by and from these groups. Selection of the representatives to the state commission should be from the respective county commissions within contiguous geographical areas.

Appropriate state agencies should be available in an advisory capacity to the state commission, these being: Soil Conservation Service, I.S.U. Extension Service, State Geologist, Natural Resources Council, D.E.Q., and the Iowa Conservation Commission.

*We favor legislation for the state of Iowa requiring all counties and municipalities to draw up zoning plans and for provisions to carry it out. Smaller cities (under 500) should be given the option of going under the county ordinance or adopting their own plan.

Remont If a state land use bill is passed into law, it should include the establishment of a county land use policy committee. This committee would have the final county say, and thus provide for the uniqueness each county has.

If a state land use policy is adopted and there is a need for a comprehensive county land use policy, a county land use commission should have the authority to develop this plan within the limitations of the state land use policy guidelines.

reene The State of Iowa should have broad guidelines for land preservation, but control and implementation should be at the local level with existing agencies. We feel another agency is unnecessary to implement land use.

- Guthrie In Iowa, land use planning and land management should be under local control. We feel the local land management board should be composed of local elected officials and appointed individuals. To coordinate state and local planning, state and federal agencies should be fully aware of local comprehensive plans and should to the maximum extent coordinate their projects with local plans. . .
- *We recommend that the exercise of the local Land Management Board, and land use controls should be guided by a comprehensive plan -- a blue print for desirable growth patterns. The comprehensive plan should be the sum of objectives of the county. Control tools such as zoning should be used as a technique to assure that the objectives of the local comprehensive plan are met.
- Harrison The state agency recommended for coordinating and regulating the new Land Preservation Act is the State Dept. of Soil Conservation. No new state agencies shall be created to administer this law. The emphasis for implementation is local county control. A county board with the same makeup as the TCLPPC's should be created to administer land preservation regulations. Multi-county land preservation boards may need to be formed to address or regulate multi-county situations.
- Madison The TCLPPC does not want to see the local zoning boards and boards of adjustment terminated unless another board is created to take its place. If a new board is created, the commission recommends that it be responsible to study the existing situation, make policies to implement, . . . and to protect local interests from state and federal agency policies and decisions
- Mills We question the need for a land use commission when a county has a comprehensive plan that includes land use.
- A county land use commission should be the final authority on the development and implementation of all land use policies within the county.
- Montgomery A strong emphasis has been expressed on the need for local citizen input and involvement in the county for developing a "County and State of Iowa Land Preservation Policy" and local citizen input on implementation of such a policy.
- Page The committee through all phases of its discussion and from participants in the hearings stressed the importance that land preservation must be dealt with on the county basis, not by state officials or commissions.
- The implementation suggestions were exactly the same as those presented by Harrison County. (See above.)
- *Cities and towns shall have an annexation plan and planning and zoning ordinances which will promote uniform growth and utilize to the maximum the land within the present and future city boundaries.
- Pottawattamie State land use policy should consist of county land use policies developed by county commissions with suggestions of guidelines from a state land use commission. Local authorities are better able to make decisions affecting situations that may be unique to their community.

Pottawattamie
(Continued)

Since 90 percent of Iowa's land is used for agricultural purposes, farmers should be assured representation on state and local land use commissions.

*The State of Iowa should require all counties to develop a comprehensive land use plan that would identify the land in each county that should be preserved for farming.

Ringgold

Any land use or zoning policy should be developed and administered at the county level. No state or area policy should be imposed upon a county. Local land preservation policies should be developed by a commission of local elected officials or their designees and voted on at a public referendum.

Shelby

All control of any land use plan should rest with a county committee similar to the TCLPPC. If a land use plan is enacted, we believe that a ~~state land use committee should not have the authority to veto a county land use plan.~~

Story

First, and perhaps most importantly, the TCLPPC has recommended that land use regulation remain with local governments and citizens. However, the commission has recognized the need for coordination and cooperation among these local regulatory bodies. . . In this regard the commission has suggested that an autonomous citizens commission be created at the state level to serve as a final arbiter of land use conflicts and to oversee the formulation and implementation of local and state land use policies. . . The commission urges the state government to undertake the project of creating a data bank for identification, inventory and analysis of natural resource information, and providing it to local regulatory and policy-making groups. The commission also urges the state government to take a leading role in providing the technical assistance necessary to local implementation of land use policies.

Legislation should be enacted mandating the creation of permanent state and local land use policy commissions similar to the temporary commissions created by H. F. 210. The local and state land use policy commissions should act as an umbrella agency which coordinates the activities of existing planning and zoning and resource protection boards and commissions. . . The state land use policy commission would also hear appeals and arbitrate land use conflicts not resolved at the local level; review state agency land use plans and issue state permits for key facilities, and developments encroaching upon critical resource areas; and have the power to initiate action and levy fines against violators of land use policies, if local jurisdictions fail to.

*Mandate all counties and municipalities to adopt local land use policies and implementation techniques for their jurisdiction. Mandate coordination of city and county land use decisions and policies. Provide for coordination of multi-jurisdiction land use decisions and policies. Formulate and provide state land use policies and local implementation models as guidelines for local land use programs. Mandate all state agency development plans be consistent with state land use policies.

Taylor The county residents do not want any state control of land use. Should a land preservation policy be developed at state level, the control of land use should be retained on a county level. . . It is felt that local control of land use is a much more viable and meaningful method than state control of land use. Thus the TCLPPC strongly discourages the development of a state land preservation policy and strongly encourages the retention of local land use control.

Union There is organized opposition to any development of a statewide land preservation policy by the Iowa General Assembly. If a state land use policy is established, the TCLPPC recommends that land preservation decisions should rest at the local government level, utilizing the historical experience and expertise of local people. Maximum emphasis should be placed on local development of land use goals and objectives, local development of comprehensive land preservation plans, and local regulation and enforcement of land preservation decisions.

Warren Counties and municipalities should be given, by the appropriate state agency, direct aid and advise relative to their planning problems, and also receive technical, educational, and enforcement assistance.

Wayne Implementation of the TCLPPC recommendations should be governed by the county boards of supervisors.

6th District

- Buena Vista State should provide land use guidelines for local units of government that will reduce opportunities for conflict due to local planning not considering effects beyond their jurisdictions. (pro permanent LPPC on county or regional level.)
*Zoning ordinances should be adopted by all counties and municipalities to provide for planned growth.
- Calhoun State legislative proposals which only establish guidelines for local control of the implementation and governing process. (pro permanent county LPPC's.) The state's role is to develop broad land preservation policy guidelines for county review and adoption, but that county government must retain local control. The regional government's role is to assist local government, when requested.
~~. . . It is not necessary for state government to create a separate and distinct state land preservation agency. . . It is felt that a coordinating committee should be created by the legislature from existing economic and natural resource agencies.~~
- Cherokee State legislature should only supplement local plans, not control them. State land use legislation should be flexible enough to allow any county/city comprehensive plans to function freely.
- Clay Land use policy shall be determined and enforced through local control. State guidelines should be adopted to provide some uniformity of local policies & to aid in the enforcement of local controls.
*The commission favors a strong county zoning law. This law is to be enforced at the county level, but should be backed by a strong state law to help in enforcement of the county regulations.
- Crawford . . . Land use commission be established to maintain the crop production acres. . .
Land preservation controls should rest with the local government level. . .
- Dickinson The vast majority of the information gathered reflected a need for land use policy. There was some disagreement as to how much control there should be and who should have the control. However, almost everyone was in favor of as much local control as possible in developing and administering a land use policy.
*Require comprehensive plans, zoning, and subdivision ordinances for all counties and cities.
- Emmet That a state land use commission be created with a similar make-up as the current TSLPPC, to provide guidelines for each county to develop their own plan.
All land use policies should be determined & administered at the local level within guidelines developed by the state legislature.
- Humboldt Recommend legislative proposals which emphasize local initiative in the land use planning and controlling process . . . Recommend the preservation of agricultural land be controlled from the local level. . . Recommend that the SLPPC, housed in the Department of Soil Conservation and Land Preservation, should place maximum emphasis on developing a statewide land inventory and compiling land use data and projections to aid local governments in land preservation decisions.

Ida . . . A strong sentiment to have local control of all land preservation policy issues developed. They want no control from state or federal (levels).

Kossuth . . . Local and county control in carrying out a state land preservation policy.

Lyon The state legislature should create by law county land use policy commissions. They should be elected by the citizens of the county, and be responsible for formulating land use policies.
*Use county zoning as a tool to enforce land use policies.

Monona Permanent county LPPC that would review all applications for development.

O'Brien All zoning and/or land use control should be determined at the local level.
*Land use policy review by open hearing every five years.

Osceola Minimum guidelines for land use should be set up on a state level. The formation of an additional state bureaucracy is discouraged. Specific requirements and control should be administered by local land use boards at the county level.
*County zoning is necessary if orderly use and development of land and related resources is to take place. We strongly urge that the state require each county to be zoned.

Palo Alto A state land use commission should be authorized only to review and coordinate county land use plans.

All zoning and/or land use should be determined at a local level under the framework of the state land use guidelines.

County land use commissions should be given the authority to work with other county governmental units to develop comprehensive land use policies within the limitations of the state land use guidelines.

Plymouth

Pocahontas

Sac Local control of the use of land for county residents should be our number one priority. Local control and administration of soil and water conservation programs are essential, following guidelines developed in cooperation with state and federal agencies.

Sioux The enforcement and, as much as possible, the development of all policies and regulations should be the responsibility of local elected officials. The issues from region to region and county to county vary too much to develop specific legislation which deals effectively with the issues throughout the state. It is also a fact that citizen input indicates more confidence in the sensitivity of local government than in state or federal government.

Sioux
(Continued)

There is little concern for passage of statewide practices covering all issues. Most issues can be dealt with indirectly through uniform practices regulations implemented by existing governmental bodies.

Webster

Support legislative proposals which only establish guidelines for local control of the implementation and governing process.

Winnebago

The State of Iowa land preservation policies shall set general objectives and guidelines for an effective and progressive statewide program for preserving prime agricultural lands, providing for clean water and maintaining and developing Iowa's areas of critical natural resource concerns. These guidelines, however, shall be broad enough and flexible enough to accommodate local control and decision making.

Woodbury

The lack of control and power local government often has in dealing ~~with the consequences resulting from decisions of state and national~~ government in land use issues is a concern. The Commission recommends that the state develop common land use guidelines for all counties. However, the final control of land use must rest with the local government. All state agencies must coordinate their plans with local government, and local government must make the final determination.

A P P E N D I X D

PART 3

COMPILATION OF COUNTY RECOMMENDATIONS CONCERNING:

-NEED FOR A LAND PRESERVATION AND DEVELOPMENT POLICY

-RECOMMENDED ORGANIZATION

DO THE TCLPPC'S PERCEIVE A NEED FOR A LAND
PRESERVATION AND DEVELOPMENT POLICY?

	Congressional District						TOTAL
	1	2	3	4	5	6	
1) <u>State</u> land preservation and develop- ment policy with local control	8	4	8	3	7	2	32
A) State to provide strong support	2	3	5	2	4	1	17
B) Some state aid and support	3	0	1	0	1	0	5
C) State role not specified	3	1	2	1	2	1	10
2) Delegation of authority to local governments with:	5	7	9	7	18	17	64
A) State to provide strong support	1	2	4	4	5	9	25
B) Some state aid and support	2	1	0	1	2	3	9
C) No state involvement	1	1	1	0	5	1	9
D) No mention of state role	1	3	4	2	6	5	21
3) No or other recommendation	0	0	1	0	0	2	3
Number of Counties in District	13	11	18	10	25	22	99

DO THE TCLPPC'S PERCEIVE A NEED FOR PERMANENT STATE AND/OR COUNTY LPPC'S?

	Congressional District						TOTAL
	1	2	3	4	5	6	
1) CLPPC	7	10	5	7	14	7	50
A) Make-up as provided in H.F. 210 for TCLPPC	2	4	1	1	7	1	16
B) Unspecified make-up	4	6	3	5	3	5	26
C) Something functioning like the TCLPPC, but of a different make-up	1	0	1	1	4	1	8
2) SLPPC	2	4	3	1	6	3	19

1st District (13 Counties)

DO THE TCLPPC'S PERCEIVE A NEED FOR A LAND PRESERVATION AND DEVELOPMENT POLICY?

- 1) State land preservation and development policy with local control:
 - A) State to provide strong support:
Henry, Lee
 - B) Some state aid and support:
Iowa, Jefferson, Johnson
 - C) State role not specified:
Benton, Des Moines, Muscatine

- 2) Delegation of authority to local governments:
 - A) State to provide strong support:
Scott

 - B) Some state aid and support:
Louisa, Washington
 - C) No state involvement:
Poweshiek
 - D) No mention of state role:
Van Buren

- 3) No Recommendation:

- 4) Other Recommendations:

Henry: County zoning statewide must be reached to meet the primary objective of a land use policy which is preservation of prime agricultural land for agricultural use.

Lee: If agricultural land is to be preserved for the production of food and fiber, then all units of local government -- cities, counties, special districts -- with responsibility for making decisions in regard to the use of land must have an up-to-date comprehensive plan.

Muscatine: State should not have a veto power over county land use plan. State should require all counties to formulate long-range comprehensive land use plans, zoning ordinances, and zoning maps to implement the intent of the comprehensive plan.

Poweshiek: All cities, towns (and counties) should be encouraged to develop (comprehensive) plans and (zoning) ordinances that will allow for orderly growth and development and encourage efficient land use practices.

Van Buren: Local acceptance of land use regulation will be by a voting referendum within each county.

DO THE TCLPPC'S PERCEIVE A NEED FOR PERMANENT STATE AND/OR COUNTY LPPC'S?

- 1) CLPPC:
 - A) Make-up as provided in H.F. 210 for TCLPPC:
Johnson, Washington
 - B) Unspecified make-up:
Des Moines, Henry, Iowa, Louisa
 - C) Something functioning like the TCLPPC's, but of a different make-up:
Lee (5 Soil Conservation District Committeemen; 3 mayors/councilmen; 3 Board Supervisors or delegates. Majority of membership should be farmers.)

2) SLPPC:

Henry, Lee (Within the Department of Soil Conservation and Land Use)

3) Other Recommendations:

Henry: CLPPC's should be able to work with adjoining counties on policies affecting more than one county.

Iowa: In special cases of statewide concern and critical impacts, state policies should establish a process by which such areas are identified with local governments maintaining the responsibility to develop local policies and procedures relating to these needs.

Johnson: Same as Iowa county.

Lee: A Department of Soil Conservation and Land Use should be created. It would be responsible for the administration of programs relating to a state land use policy, the protection of soil and water resources, and the prevention of soil erosion and sedimentation damage as provided by law.

Within the department, a state land use policy commission should be created. The duties of the state commission among other things would be to: prepare and recommend to the general assembly a state land use policy and state land use policy guidelines for the guidance and direction of state agencies, county land use policy commissions, cities, counties, and special districts on matters relating to land use; provide information and educational programs through existing educational institutions; establish by rule procedures for the review and approval of county land use policy guidelines, procedures for the review of comprehensive plans of cities, counties, and special districts, procedures for the review and approval of state agency comprehensive plans and plan modifications; and prepare model zoning, subdivision or other ordinances and regulations and regulation to guide state agencies, cities, counties and special districts in implementing state and county land use policy guidelines.

County land use policy commissions should be created. Duties of the county commissions among other things would be to inventory and evaluate on a continuing basis the physical, social, and economic resources of the county, and to review and approve all comprehensive plans, ordinances or regulations for land use, recommended or being prepared by the county, special districts and cities within the county to assure that recommended uses are consistent with county land use guidelines.

Scott: Maintain local control through existing zoning boards and other local agencies.

Washington: To implement county land preservation policies, a local control commission should be formed from the board of supervisors, district soil commissioners, and mayors and city councils. They should establish guidelines and policy on Land Preservation within a county level, with some state guidelines and administration to insure uniformity on the state level. This local control commission be empowered by state legislation to make the necessary survey, standards, ordinances, and plan to implement their guidelines and policies.

Administration and enforcement of control commission be through an Administrative Committee appointed by the above commission. A committee consisting of 5 appointed representatives: one by the Board of Supervisors, one by the Soil Conservation Commissioners, one by representative of mayors and city council persons of the county, one by the County Extension Council, and one by and representing School Boards of the County.

2nd District (11 Counties)

DO THE TCLPPC'S PERCEIVE A NEED FOR A LAND PRESERVATION AND DEVELOPMENT POLICY?

- 1) State land preservation and development policy with local control:
 - A) State to provide strong support:
Delaware, Fayette, Jones
 - B) Some state aid and support:
 - C) State role not specified:
Clayton
- 2) Delegation of authority to local governments:
 - A) State to provide strong support:
Cedar, Linn
 - B) Some state aid and support:
Dubuque
 - C) No state involvement:
Winneshiek
 - D) No mention of state role:
Allamakee, Clinton, Jackson
- 3) No Recommendation:
- 4) Other Recommendations:
 - Cedar: All counties should be required to adopt a zoning ordinance and a subdivision code.
 - Clayton: The state plan should allow flexibility to counties so that local conditions and existing land preservation functions can be implemented into the county's plan for wise land use.
 - Linn: The state plan should provide a guideline for counties but should not have direct control over county policies unless counties fail to take appropriate action to preserve critical areas.

DO THE TCLPPC'S PERCEIVE A NEED FOR PERMANENT STATE AND/OR COUNTY LPPC'S?

- 1) CLPPC:
 - A) Make-up as provided in H.F. 210 for TCLPPC:
Cedar, Clinton, Delaware, Jackson
 - B) Unspecified make-up:
Allamakee, Clayton, Dubuque, Fayette, Jones, Linn
 - C) Something functioning like the TCLPPC's, but of a different make-up:
- 2) SLPPC:
Cedar, Delaware, Fayette, Linn
- 3) Other Recommendations:
 - Cedar: SLPPC should not have a veto power over county plans, and it should utilize existing agencies.
 - Delaware: SLPPC would have responsibility to appraise the policies of all state agencies, propose legislation deemed necessary to implement action to achieve expressed land policy objectives, and resolve conflicts between CLPPC's in situations where state interests and objectives override local policies.

Linn: County and city zoning commissions would be responsible for enforcement of policies adopted by the CLPPC.

Winneshiek: Issues that affect more than one county would need some multi-county or regional input.

3rd District (18 Counties)

DO THE TCLPPC'S PERCEIVE A NEED FOR A LAND PRESERVATION AND DEVELOPMENT POLICY?

1) State land preservation and development policy with local control:

- A) State to provide strong support:
Bremer, Butler, Grundy, Hancock, Tama
- B) Some state aid and support:
Marshall
- C) State role not specified:
Black Hawk, Cerro Gordo

2) Delegation of authority to local governments:

- A) State to provide strong support:
Floyd, Hamilton, Hardin, Mitchell
- B) Some state aid and support:
- C) No state involvement:
Franklin
- D) No mention of state role:
Chickasaw, Howard, Worth, Wright

3) No Recommendation:

4) Other Recommendations:

Buchanan: "Continued coordination of local citizen groups and state-wide legislation. . ."

Floyd: All cities and counties should be required to have comprehensive plans and planning and zoning commissions, who will coordinate their respective objectives for the benefit of the general public. . . County zoning should be required to be kept current to meet new trends and needs.

In order to implement a land use plan for the state of Iowa, the legislature should accept recommendations to it by the TSLPPC and incorporate it into the Code of Iowa under one heading of State Land Use Policies; it should be administered by county LPPC's or through a joint city and county planning commission and zoning board.

Grundy: We prefer that all cities and counties develop their own comprehensive plans, coordinate them, and develop zoning regulations for each. These regulations should be updated regularly and could be used to control the siting of facilities.

Hamilton: Within the next two years comprehensive planning and zoning programs should be established in the counties and communities of Iowa.

Hancock: County and state land use issues indicate a concern for. . . the timeliness of a comprehensive land use policy for state and local areas. . . and a need for zoning ordinances. . .

Hardin: All cities should be required to have zoning ordinances. County zoning should be required through a local board.

Marshall: The state legislature should require county zoning through an elected county board upon completion of the county soil survey, and have land zoned according to whether the land is suitable for agricultural or other uses as indicated in the county soil survey.

DO THE TCLPPC'S PERCEIVE A NEED FOR PERMANENT STATE AND/OR COUNTY LPPC'S?

1) CLPPC:

- A) Make-up as provided in H.F. 210 for TCLPPC:
Black Hawk
- B) Unspecified make-up:
Hamilton, Hancock, Tama
- C) Something functioning like the TCLPPC's, but of a different make-up:
Wright (Elect from city governments, board of supervisors, and
soil districts commissions.)

2) SLPPC:

Butler, Hancock (Under Dept. of Soil Conservation and Land
Preservation), Tama

3) Other Recommendations:

Butler: Hire a professional to work with state land use policy
commission, and an administrator to enforce local policies.

Hardin: Make the Conservancy District Board the intermediate
authority and the DSC the final authority on land preservation.

Howard: Pass legislation to allow the board of supervisors to appoint
citizens to administer land use regulations in the county.

Marshall: State land use policies should be implemented by the State
Soil Conservation Committee and the County Conservation Districts.

Tama: There should be no permanent "regional" commissions. The
SLPPC should have authority to effectively block proposed projects and
programs at state and regional levels if, and only if, critical resources
are seriously endangered.

Worth: Maintain local control through existing governing bodies.

4th District (10 Counties)

DO THE TCLPPC'S PERCEIVE A NEED FOR A LAND PRESERVATION AND DEVELOPMENT POLICY?

- 1) State land preservation and development policy with local control:
 - A) State to provide strong support:
Mahaska, Wapello
 - B) Some state aid and support:
 - C) State role not specified:
Jasper

- 2) Delegation of authority to local governments:
 - A) State to provide strong support:
Davis, Keokuk, Monroe, Polk
 - B) Some state aid and support:
Marion (County Board in no way subservient to state agencies.)
 - C) No state involvement:
 - D) No mention of state role:
Appanoose, Lucas

- 3) No Recommendation:

- 4) Other Recommendations:

Appanoose: Land in the county should be zoned through a local zoning board based on a comprehensive plan. . . It is the belief of this commission that zoning is the most appropriate means of implementing a land use policy.

Lucas: All incorporated cities and towns should adopt comprehensive plans to assist in orderly development.

Mahaska: All incorporated cities and towns should adopt comprehensive plans to regulate their growth.

Monroe: A county zoning plan should be required and administered by a local board.

State veto power over local board's policies, but county can override veto with a 2/3 vote.

Access to the land preservation policy information should be provided by the Extension Service and Soil District Commission.

Polk: Counties and cities shall prepare and implement regulations which provide for comprehensive planning, zoning and subdivision guidelines, along with standards for site and building developments.

DO THE TCLPPC'S PERCEIVE A NEED FOR PERMANENT STATE AND/OR COUNTY LPPC'S?

- 1) CLPPC:
 - A) Make-up as provided in H.F. 210 for TCLPPC:
Mahaska
 - B) Unspecified make-up:
Davis, Keokuk, Marion, Monroe, Wapello
 - C) Something functioning like the TCLPPC's, but of a different make-up:
Jasper (County commission appointed by the County Board of Supervisors.)

2) SLPPC:

Keokuk (Under DSC)

3) Other Recommendations:

Davis: Land use policies proposed on a county level should be approved by 60 percent of the voters before they are adopted.

Keokuk: Land use policies proposed on either the state or county level should be approved by 60 percent of the voters before they are adopted.

Polk: State level land use department. The existing state agencies connected with land use decisions shall be organized to provide for coordination of efforts which should result in less duplication. Cities and counties shall do likewise.

5th District (25 Counties)

DO THE TCLPPC'S PERCEIVE A NEED FOR A LAND PRESERVATION AND DEVELOPMENT POLICY?

1) State land preservation and development policy with local control:

- A) State to provide strong support:
Audubon, Fremont, Pottawattamie, Story
- B) Some state aid and support:
Cass
- C) State role not specified:
Boone, Montgomery

2) Delegation of authority to local governments:

- A) State to provide strong support:
Clarke, Decatur, Greene, Harrison, Page
- B) Some state aid and support:
Guthrie, Warren
- C) No state involvement:
Adams, Mills, Ringgold, Taylor, Union
- D) No mention of state role:
Adair, Carroll, Dallas, Madison, Shelby, Wayne

3) No Recommendation:

4) Other Recommendations:

Boone: We recommend that cities and towns, regardless of size, have zoning and planning.

Decatur: We favor legislation for the state of Iowa requiring all counties and municipalities to draw up zoning plans and for provisions to carry it out. Smaller cities (under 500) should be given the option of going under the county ordinance or adopting their own plan.

Guthrie: We recommend that the exercise of the local Land Management Board, and land use controls should be guided by a comprehensive plan -- a blue print for desirable growth patterns. The comprehensive plan should be the sum of objectives of the county. Control tools such as zoning should be used as a technique to assure that the objectives of the local comprehensive plan are met.

Page: Cities and towns shall have an annexation plan and planning and zoning ordinances which will promote uniform growth and utilize to the maximum the land within the present and future city boundaries.

Pottawattamie: The State of Iowa should require all counties to develop a comprehensive land use plan that would identify the land in each county that should be preserved for farming.

Ringgold: Local land preservation policies should be developed by a commission of local elected officials or their designees and voted on at a public referendum.

Shelby: If a land use plan is enacted, a state land use committee should not have the authority to veto a county land use plan.

Story: An autonomous citizens commission should be created at the state level to serve as a final arbiter of land use conflicts and to oversee the formulation and implementation of local and state land use policies.

The state government should create a data bank for identification, inventory and analysis of natural resources information and provide it to local regulatory and policy-making groups.

Mandate all counties and municipalities to adopt local land use policies and implementation techniques for their jurisdictions. Mandate coordination of city and county land use decisions and policies. Provide for coordination of multi-jurisdiction land use decisions and policies. Formulate and provide state land use policies and local implementation models as guidelines for local land use programs. Mandate all state agency development plans be consistent with state land use policies.

DO THE TCLPPC'S PERCEIVE A NEED FOR PERMANENT STATE AND/OR COUNTY LPPC'S?

1) CLPPC:

- A) Make-up as provided in H.F. 210 for TCLPPC:
Audubon, Boone, Cass, Harrison, Page, Shelby (similar to TCLPPC), Story (similar to TCLPPC)
- B) Unspecified make-up:
Decatur, Fremont, Mills
- C) Something functioning like the TCLPPC's, but of a different make-up:
Adair (elect a local board of adjustment to implement county policy), Guthrie (Land Management Board composed a local elected officials and appointed individuals), Pottawattamie (assure farmers representation on the commission), Ringgold (commission of local elected officials or their designees).

2) SLPPC:

Audubon, Boone, Cass (placed under DSC), Decatur, Pottawattamie, Story

3) Other Recommendations:

Adair: It is recommended that a local board of adjustment be elected for implementing the county policy and handling any variances from the land preservation policy that might be developed in the county.

Adams: When the need arises, cooperation between adjacent areas should be encouraged without additional state regulations.

Audubon: Approval of the state land use guidelines should be the responsibility of the legislature rather than a state land use commission.

Boone: Set up "area," as well as state and county land use commissions.

Decatur: A state commission should be representative not only of the people, but of the specific land areas of Iowa. Congressional districts are too broad to be representative of the land. We favor representation by planning or soil conservancy districts.

Greene: Another agency is unnecessary to implement land use.

Harrison and Page: The state agency recommended for coordinating and regulating of the new Land Preservation Act is the DSC. No new county board shall be created to administer this law.

Multi-county land preservation boards may need to be formed to address multi-county situations.

Mills: We question the need for a land use commission when a county has a comprehensive plan that includes land use.

Pottawattamie: Since 90 percent of Iowa's land is used for agricultural purposes, farmers should be assured representation on state and local land use commissions.

Wayne: Implementation of the TCLPPC recommendations should be governed by the county boards of supervisors.

6th District (22 Counties)

DO THE TCLPPC'S PERCEIVE A NEED FOR A LAND PRESERVATION AND DEVELOPMENT POLICY?

- 1) State land preservation and development policy with local control:
 - A) State to provide strong support:
Winnebago
 - B) Some state aid and support:
 - C) State role not specified:
Kossuth

- 2) Delegation of authority to local governments:
 - A) State to provide strong support:
Buena Vista, Calhoun, Clay, Emmet, Osceola, Palo Alto, Sac, Webster, Woodbury
 - B) Some state aid and support:
Cherokee, Humboldt, Sioux
 - C) No state involvement:
Ida (No control from state or federal levels)
 - D) No mention of state role:
Crawford, Dickinson, Lyon, Monona, O'Brien

- 3) No Recommendation:
Plymouth, Pocahontas

- 4) Other Recommendations:
Buena Vista: Zoning ordinances should be adopted by all counties and municipalities to provide for planned growth.
Calhoun: The regional government's role is to assist local government, when requested.
Clay: The commission favors a strong county zoning law. This law is to be enforced at the county level, but should be backed by a strong state law to help in enforcement of the county regulations.
Dickinson: Require comprehensive plans, zoning, and subdivision ordinances for all counties and cities.
Lyon: Use county zoning as a tool to enforce land use policies.
O'Brien: Land use policy review by open hearing every five years.
Osceola: County zoning is necessary if orderly use and development of land and related resources is to take place. We strongly urge that the state require each county to be zoned.
Sioux: There is little concern for passage of statewide practices covering all issues. Most issues can be dealt with indirectly through uniform practices regulations implemented by existing governmental bodies.

DO THE TCLPPC'S PERCEIVE A NEED FOR PERMANENT STATE AND/OR COUNTY LPPC'S?

- 1) CLPPC:
 - A) Make-up as provided in H.F. 210 for TCLPPC:
Calhoun
 - B) Unspecified make-up:
Crawford, Lyon, Monona, Osceola (land use board), Palo Alto
 - C) Something functioning like the TCLPPC, but of a different make-up:
Buena Vista (County or regional commissions)

2) SLPPC:

Emmet, Humboldt (Under Dept. of Soil Conservation and Land Preservation), Palo Alto

3) Other Recommendations:

Calhoun: It is not necessary for state government to create a separate and distinct state land preservation agency. . . A coordinating committee should be created by the legislature from existing economic and natural resource agencies.

Humboldt: The SLPPC, housed in the Department of Soil Conservation and Land Preservation, should place maximum emphasis on developing a state-wide land inventory and compiling land use data and projections to aid local governments in land preservation decisions.

A P P E N D I X E

EXAMINATION OF ADAPTED LAND PRESERVATION & DEVELOPMENT PROCEDURES

The following procedures are generalized versions of programs a number of states have adopted or are in the process of testing and evaluating. The purpose of this material is to provide a frame of reference for the Commission as it discusses the various parts of a state land preservation and development policy. Eight concepts are outlined and discussed here as they might be adapted for use in Iowa. This is by no means a complete listing of state land preservation and development procedures, but it does represent basic concepts having a common character. The organizational structure of the concepts presented may vary greatly, depending on the manner in which various alternatives are developed or combined into an overall policy concept. The procedures are not mutually exclusive of each other and are generally used in several combinations and variations.

The adapted land preservation and development procedures are identified in general categories as follows:

- Statewide comprehensive land preservation and development program with statewide controls
- Statewide comprehensive land preservation and development program with local controls
- Mandatory local land preservation and development program.
- State management of uncontrolled areas
- Program for geographical areas or critical areas
- Land preservation and development program using functional criteria
- Delegation of land preservation and development authority with a program of state guidelines.

- State program of intergovernmental coordination of land preservation and development activities
- * * * * *
- Statewide comprehensive land preservation and development program with statewide controls.

This concept establishes a statewide program for land resource management involving a statewide comprehensive land use plan implemented with statewide zoning or related regulations. The administration of land use regulations may be exercised by the state or jointly by the state and local governments.

Under this alternative, land is classified into broad categories (for example, agriculture, conservation, urban and rural). Within these categories land use regulations are developed and enforced jointly by the state and local governments. As an example, urban districts would be under the jurisdiction of cities, while rural and agricultural districts would be the shared responsibility of the state and counties. Conservation districts would be the responsibility of appropriate state agencies.

This alternative provides a strong and direct link between state plans and policies and local government. State land use controls are maximized under this concept.

- Statewide comprehensive land preservation and development program with local controls.

This alternative establishes a statewide comprehensive land use plan which would be implemented by local governments. The state land use plan establishes broad land use categories and districts, which are in turn adopted and enforced by local governments. Through this concept the state or regional agencies provide technical expertise as requested to local governments as an aid to better land use decisions.

- Mandatory local land preservation and development program.

This concept establishes statewide goals and guidelines at the state level to give direction to the land use planning activities of local governments. While land use planning and decisions take place at the local level, the responsible state agency for land preservation and development coordinates the land use plans of cities, counties and state agencies.

The plans of local governments are reviewed for conformance with statewide goals. Depending on the oversight responsibilities of the state, inter-boundary coordination and conformance with statewide goals are reviewed and compliance requested or suggested. This alternative, or its variations, combine good coordination of land use planning between state and local government with local implementation.

- State management of uncontrolled areas

Under this concept alternative, the state becomes involved in land preservation and development activities only in those geographical areas where local governments are not involved in land use planning, management or regulation. Through this approach, the state establishes minimum state land preservation and development requirements for uncontrolled areas. The state intervenes and implements these requirements only if local governments fail to adopt land preservation and development controls and regulations. This approach establishes land preservation and development authority at the local level provided local governments exercise that authority.

- Program for geographical areas or critical areas

This concept recognizes that the need for land preservation and development responsibility beyond the local level exists in only specific portions of the state. This approach allows the state to act in areas that are geographically defined without becoming involved in a comprehensive statewide land preservation and development program. Under this alternative, limited

unique land areas that may be lost due to uncontrolled development are planned and managed by the state and local governments working cooperatively.

The process of establishing a critical area involves nomination, analysis, designation, plan development and implementation. State and local government work together throughout the process, with the exception that implementation is a local responsibility.

This alternative approach has been used extensively by states, with many incorporating critical areas as a part of their coastal zone management programs.

- Land preservation and development program using functional criteria

This alternative is based on the concept of the state accepting responsibility for the management of land resources by controlling large scale development or the placement of key facilities. This approach is directed at specific types of development activities rather than attempting to develop a comprehensive land preservation and development program for the entire state. Land management activities are related to major land use developments which produce impacts that are area-wide, inter-county, or that cannot be adequately regulated at the local level. Major developments and facilities of a commercial or industrial nature (such as a power plant, mining operation, inter-modal transport terminal, etc.) that have taken prime farmland or unique scenic areas, are examples of uses controlled by this concept.

Typically, this alternative provides authority to the state to approve or disapprove specific large scale developments. For example, several states, including Iowa, have power plant siting laws. Under the functional criteria concept, the state is involved in specific defined land preservation and development problems of statewide concern without infringing upon the normal land use decision making processes of local governments.

- Delegation of land preservation and development authority with a program of state guidelines

This concept is basically the approach being used in Iowa. Cities and counties have responsibilities for local land use planning and regulation through several enabling laws. Such legislation is discretionary on the part of local government. There is no direct state role in local land use decisions, with the exception that state agency review may be required.

- State program of intergovernmental coordination of land preservation and development activities

This approach establishes a procedure and an organizational structure for the purpose of promoting cooperation and coordination between state agencies and between the state and local government regarding land preservation and development activities. In addition, this alternative provides a method of clarifying and correcting public misunderstanding regarding the responsibilities of specific agencies in the broad areas of land, water, environment, development, conservation, and natural resources, etc.

The concept would include affected agencies in an interagency council and could include representatives from local government. The responsibilities of the council are specifically delineated as they relate to coordination, cooperation, public information, review procedures simplification and conflict reconciliation.

Summary

The states have devised several new methods for dealing with the need for increased state responsibilities in land preservation and development. Some states have taken a comprehensive course of action while others have taken an incremental approach. States are trying to improve local governmental participation through state guidelines and standards for city and county land preservation and development activities.

The following charts summarize the states' involvement in land resources management as compiled from available reports.

State Laws and Regs.

CHART 1

States	CZM	Comp. Planning	Land Preservation	Siting	Strip Mining	Wetlands
Alabama	1				2	
Alaska					1	
Arizona		1			1	
Arkansas					1	
California	1	1				
Colorado		1			1	
Connecticut		1				2
Delaware	4	1			1	2
Florida	3	4	1	1	3	
Georgia	2				2	
Hawaii		1				
Idaho		1				
Illinois		1			1	
Indiana					1	
Iowa				1	2	
Kansas			1		1	
Kentucky					2	
Louisiana	1		1		2	
Maine	2	3		1	1	1
Maryland	1	1		3	4	1
Massachusetts			1			1
Michigan	1		2	1		
Minnesota	1		2	1		
Mississippi	3				1	3
Missouri						
Montana		1	2			
Nebraska		1				
Nevada		1				
New Hampshire						
New Jersey	1	1	2			3
New Mexico					2	
New York				1		2
North Carolina		1			1	
North Dakota			1		5	
Ohio				1	1	
Oklahoma					1	
Oregon	1	2	1			
Pennsylvania					2	
Rhode Island	1					
South Carolina	1				1	
South Dakota		2			2	
Tennessee			2		2	
Texas					1	
Utah					1	
Vermont	1	2				
Virginia		1		2	1	
Washington	1			1		
West Virginia					2	
Wisconsin	1		3	1	2	
Wyoming		1		1	1	

NOTE: Number refers to the number of laws related to the subject.

SOURCE: Land Use Planning Abstracts - 1978, Environmental Information Center

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CHART 2

State Land Use Programs*

State	Type of state program			Coastal zone management(d)	Wetlands management(e)	Powerplant siting(f)	Surface mining(g)	Designation of critical areas(h)	Differential assessment laws(i)	Floodplain management(j)	Statewide shorelands act(k)
	Comprehensive permit system(a)	Coordinated incremental(b)	Mandatory local planning(c)								
Alabama	X	..	X	A	..	..	X	..
Alaska	..	X	..	X	..	X	..	..	B	..	..
Arizona	..	X	..	..	..	X	..	..	A	X	..
Arkansas	X	A,B	..	A	X	..
California	..	X	..	X	..	X	X	..	C	X	..
Colorado	X	X	X	A	X	..
Connecticut	..	X	..	X	X	X	..	..	B	X	..
Delaware	..	X	..	X	X	..	..	..	A	..	X
Florida	X	X	X	X	X	X	A	X	A,C	..	..
Georgia	..	X	..	X	X	..	A,B	..	..	..	..
Hawaii	X	X	..	X	..	X	X	X	B	X	..
Idaho	X	..	..	X	X	..	A	..	..
Illinois	X	..	X	A,B	..	B	X	..
Indiana	..	X	..	X	..	..	A,B	..	A	X	..
Iowa	A,B	..	A	X	..
Kansas	A,B	..	..	..	..
Kentucky	X	A,B	..	B	..	..
Louisiana	X	X	..	..	..	..	..	..
Maine	X	X	X(ltd)	X	X	X	A	X	B	X	..
Maryland	..	X	..	X	X	X	A,B	X	B	X	..
Massachusetts	X	X	X	..	X	B	X	..
Michigan	X	..	..	X	..	C	X	X
Minnesota	..	X	..	X	X	X	X	X	B	X	X
Mississippi	X	X	..	..	..	..	X	..
Missouri	X	X	X	..	A	X	..
Montana	..	X	X	..	..	X	A,B	X	B	X	X
Nebraska	X	..	..	X	..	..	B	X	..
Nevada	..	X	X	..	..	X	..	X	B	..	..
New Hampshire	X	X	X	..	..	B,C	..	..
New Jersey	X	X	X	..	..	B	X	..

New Mexico	..	X	..	..	..	X	A	..	A	..	..
New York	X	X	..	X	X	X	X	X	B	X	..
North Carolina	..	X	..	X	X	..	X	..	B	X	..
North Dakota	..	..	..	..	..	X	A	..	A	..	..
Ohio	..	..	..	X	..	X	A	..	B	..	..
Oklahoma	..	..	..	..	..	..	X	..	A	X	..
Oregon	..	X	X	X	..	X	A	X	B	..	..
Pennsylvania	..	..	..	X	X	X	A	X	B	..	..
Rhode Island	..	X	..	X	X	X	..	..	B	..	..
South Carolina	..	..	..	X	..	X	A	..	B	..	..
South Dakota	..	..	..	..	..	..	A	X	A	..	..
Tennessee	..	..	..	..	..	X	A,B	..	..	..	..
Texas	..	..	..	X	X	..	X	..	B	..	..
Utah	..	X	..	..	..	..	A	..	B	..	..
Vermont	X	X	..	..	X	X	X	..	C	X	..
Virginia	..	..	X	X	X	..	A,B	..	B	..	..
Washington	..	X	..	X	X	X	A	..	B	X	X
West Virginia	..	..	..	..	..	..	A,B	..	..	X	..
Wisconsin	..	X	..	X	X	X	X	X	..	X	..
Wyoming	..	X	X	..	..	X	A	..	A	..	..

*Source: Prepared by the Council of State Governments, based on information collected by the Council of State Governments, *Land Use Planning Reports 1974 and 1975*; the U.S. Department of the Interior, Office of Land use and Water Planning; and the U.S. Geological Survey, Resource and Land Investigations Program. Data compiled January 1976.

(a) State has authority to require permits for certain types of development.
 (b) State-established mechanism to coordinate state land use related problems.
 (c) State requires local governments to establish a mechanism for land use planning (e.g., zoning, comprehensive plan, planning commission).
 (d) State is participating in the federally funded coastal zone management program authorized by the Coastal Zone Management Act of 1972.
 (e) State has authority to plan or review local plans or the ability to control land use in the wetlands.
 (f) State has authority to determine the siting of powerplants and related facilities.
 (g) State has statutory authority to regulate surface mines. (A) State has adopted rules and regulations; (B) State has issued technical guidelines.

(h) State has established rules, or is in the process of establishing rules, regulations, and guidelines for the identification and designation of areas of critical state concern (e.g. environmentally fragile areas, areas of historical significance).
 (i) State has adopted tax measure which is designed to give property tax relief to owners of agricultural or open space lands. (A) Preferential Assessment Program - Assessment of eligible land is based upon a selected formula, which is usually use-value. (B) Deferred Taxation - Assessment of eligible land is based upon a selected formula, which is usually use-value and provides for a sanction usually the payment of back taxes, if the land is converted to a noneligible use. (C) Restrictive Agreements - Eligible land is assessed at its use-value, a requirement that the owner sign a contract and a sanction, usually the payment of back taxes, if the owner violates the terms of the agreement.
 (j) State has legislation authorizing the regulation of floodplains.
 (k) State has legislation authorizing the regulation of shorelands of significant bodies of water

State Land Use Programs*

TYPE OF STATE PROGRAM

State	Comprehensive Permit System ¹	Coordinated Incremental ²	Mandatory Local Planning ³	Coastal Zone Management ⁴	Wetlands Management ⁵	Power Plant Siting ⁶	Surface Mining ⁷	Designation of Critical Areas ⁸	Differential Assessment Laws ⁹	Floodplain Management ¹⁰	Statewide Shorelands Act ¹¹
ALABAMA				X		X	A			X	
ALASKA		X		X		X			B		
ARIZONA		X				X			A	X	
ARKANSAS						X	A, B		A	X	
CALIFORNIA		X		X		X	X		C	X	
COLORADO						X	X	X	A	X	
CONNECTICUT		X		X	X	X			B	X	
DELAWARE		X		X	X				A		
FLORIDA	X	X	X	X	X	X	A	X	A, C		
GEORGIA		X		X	X		A, B				X
HAWAII	X	X		X		X	X	X	B	X	
IDAHO			X				X		A		
ILLINOIS				X		X	A, B		B	X	
INDIANA		X		X			A, B		A	X	
IOWA							A, B		A	X	
KANSAS							A, B				
KENTUCKY						X	A, B		B		
LOUISIANA				X	X						
MAINE	X	X	(limited)	X	X	X	A	X	B	X	
MARYLAND		X		X	X	X	A, B	X	B	X	
MASSACHUSETTS				X	X	X			B		
MICHIGAN				X			X		C	X	
MINNESOTA		X		X	X	X	X	X	B	X	
MISSISSIPPI				X	X					X	X
MISSOURI					X	X	X		A	X	X
MONTANA		X	X			X	A, B	X	B	X	
NEBRASKA			X			X			B	X	
NEVADA		X	X			X		X	B		X
NEW HAMPSHIRE				X	X	X			B, C		
NEW JERSEY				X	X	X			B	X	
NEW MEXICO		X				X	A		A		
NEW YORK	X	X		X	X	X	X	X	B	X	
NORTH CAROLINA		X		X	X		X		B	X	
NORTH DAKOTA						X	A		A		
OHIO				X		X	A		B		
OKLAHOMA							X		A	X	
OREGON		X	X	X		X	A	X	B		
PENNSYLVANIA				X	X	X	A	X	B		
RHODE ISLAND		X		X	X	X			B		
SOUTH CAROLINA				X		X	A		B		
SOUTH DAKOTA							A	A	A		
TENNESSEE						X	A, B				
TEXAS				X	X		X		B		
UTAH		X					A		B		
VERMONT	X	X			X	X	X		C	X	
VIRGINIA			X		X		A, B		B		
WASHINGTON		X		X	X	X	A		B	X	
WEST VIRGINIA							A, B			X	
WISCONSIN		X		X	X	X	X	X		X	X
WYOMING		X	X			X	A		A		

¹State has authority to require permits for certain types of development.

²State-established mechanism to coordinate state land use-related problems.

³State requires local governments to establish a mechanism for land use planning (e.g., zoning, comprehensive plan, planning commission).

⁴State is participating in the federally funded coastal zone management program authorized by the Coastal Zone Management Act of 1972.

⁵State has authority to plan or review local plans or the ability to control land use in wetlands.

⁶State has authority to determine the siting of power plants and related facilities.

⁷State has statutory authority to regulate surface mines. (A) State has adopted rules and regulations. (B) State has issued technical guidelines.

⁸State has established rules, or is in the process of establishing rules, regulations, and guidelines for the identification and designation of areas of critical state concern (e.g., environmentally fragile areas, areas of historical significance).

⁹State has adopted tax measure which is designed to give property tax relief to owners of agricultural or open space land. (A) Preferential Assessment Program—Assessments of eligible land is based upon a selected formula, which is usually use-value. (B) Deferred Taxation—Assessments of eligible land is based upon a selected formula, which is usually use-value and provides for a sanction, usually the payment of back taxes, if the land is converted to a non-eligible use. (C) Restrictive Agreements—Eligible land is assessed at its use-value, a requirement that the owner sign a contract, and a sanction, usually the payment of back taxes if the owner violates the terms of the agreement.

¹⁰State has legislation authorizing the regulation of floodplains.

¹¹State has legislation authorizing the regulation of shorelands of significant bodies of water.

*SOURCE: Prepared by the Council of State Governments, based on information collected by the Council of State Governments, *Land Use Planning Reports 1974 and 1975*; the U.S. Department of the Interior, Office of Land Use and Water Planning; and the Resource Land Investigations Program. Data compiled October 1975.

STATE LAND USE PROGRAMS*
(January 30, 1974)

	Statewide ¹ Land Use Planning and Control	Coastal ² Zone Management	Wetlands ³ Management	Power ⁴ Plant Siting	Surface ⁵ Mining	Designation ⁶ of Critical Areas	Land Use ⁷ Tax Incentives	Flood ⁸ Plain Management
Alabama	P	—	—	—	yes	—	—	—
Alaska	—	—	—	—	—	—	yes	—
Arizona	P	NA	—	yes	—	—	—	yes
Arkansas	—	NA	—	yes	yes	—	yes	yes
California	P	yes	—	yes	—	—	yes	yes
Colorado	P	NA	—	—	yes	yes	yes	yes
Connecticut	P	—	yes	yes	—	—	yes	yes
Delaware	P	yes	yes	—	—	—	yes	—
Florida	P and R	yes	yes	yes	—	yes	—	—
Georgia	P	—	yes	—	yes	—	—	—
Hawaii	P and R	yes	—	yes	—	yes	yes	yes
Idaho	—	NA	—	—	—	—	—	—
Illinois	—	—	—	yes	yes	—	yes	—
Indiana	—	—	—	—	yes	—	yes	—
Iowa	—	NA	—	—	yes	—	yes	—
Kansas	—	NA	—	—	yes	—	—	—
Kentucky	—	NA	—	—	yes	—	yes	—
Louisiana	—	—	yes	—	—	—	—	—
Maine	P and R	yes	—	yes	yes	—	yes	yes
Maryland	R(limited)	—	yes	yes	yes	—	yes	—
Massachusetts	—	—	yes	—	—	—	—	—
Michigan	P	yes	—	—	yes	—	—	yes
Minnesota	P and R	yes	—	yes	yes	yes	yes	—
Mississippi	—	yes	—	—	—	—	—	—
Missouri	—	NA	—	—	yes	—	—	—
Montana	—	NA	—	yes	yes	—	yes	yes
Nebraska	—	NA	—	yes	—	—	—	—
Nevada	—	NA	—	yes	—	—	—	—
New Hampshire	—	—	yes	yes	—	—	yes	—
New Jersey	—	—	yes	yes (cz)	—	—	yes	yes
New Mexico	—	NA	—	yes	yes	—	yes	—
New York	P	—	yes	yes	—	yes	yes	—
North Carolina	—	—	yes	—	yes	—	yes	—
North Dakota	—	NA	—	—	yes	—	—	—
Ohio	—	—	—	—	yes	—	—	—
Oklahoma	—	NA	—	—	yes	—	—	yes
Oregon	P and R	yes (Partial)	—	yes	yes	yes	yes	—
Pennsylvania	P	—	—	yes	yes	—	yes	—
Rhode Island	—	yes	yes	yes	—	—	yes	—
South Carolina	—	—	—	yes	—	—	—	—
South Dakota	—	NA	—	—	yes	—	yes	—
Tennessee	—	NA	—	—	yes	—	—	—
Texas	—	yes	—	—	—	—	yes	—
Utah	—	NA	—	—	—	—	yes	—
Vermont	P and R	NA	yes	yes	—	—	yes	yes
Virginia	—	yes	yes	—	yes	—	yes	—
Washington	—	yes	yes	yes	yes	—	yes	yes
West Virginia	—	NA	—	—	yes	—	—	—
Wisconsin	P	yes	yes	—	—	yes	—	yes
Wyoming	—	NA	—	—	—	—	yes	—
Guam	P and R	yes	—	yes	yes	—	—	yes
Puerto Rico	P and R	—	—	yes	yes	—	—	yes

*Table Explanation

Indications that a State has a program in one of the above categories does not constitute an evaluation of the effectiveness of the program.

1. P indicates the State has a land use planning program under way. R indicates the State has authority to review local plans or has direct control. NA, not applicable.

2. State has authority to plan or review local plans or the ability to control land use in the coastal zone.

3. State has authority to plan or review local plans or the ability to control land use in the wetlands.

4. State has authority to determine the siting of power plants

and related facilities.

5. State has authority to regulate surface mining.

6. State has established rules, or is in the process of establishing rules, regulations, and guidelines for the identification and designation of areas of critical state concern (e.g., environmentally fragile areas, areas of historical significance).

7. State has adopted tax inducements to withhold or delay development of open space (e.g., tax on present use, rollback penalty, contract between the State and landholders to provide preferential tax for commitment to open-space usage).

8. State has authority to regulate the use of floodplains.

A P P E N D I X F

Summary of Agencies and Boards
with Land Use Responsibilities in Iowa

- Summary of State Agency Land Use Planning and Management Activities -- F-2

- Other State Agencies Involved in Land Use Planning and Management in Iowa -- F-6

- Iowa Boards, Councils, Committees, and Commissions Involved in Land Use and Programs -- F-8

- Federal Agencies Impacting Land Use in Iowa -- F-11

Source:
The Iowa Office for
Planning and Programming

SUMMARY OF STATE AGENCY LAND USE PLANNING AND MANAGEMENT ACTIVITIES

State Agency	Legislative Authority	Planning Functions	Regulatory Functions	Growth Impacts
Commerce Commission	<u>Chapter 474, Code of Iowa</u>	No direct planning functions - compiles private utility energy need projections.	Regulates rates set by private utility companies, regulates construction and operation of electrical power and communication transmission lines. Reviews electric power generating facility siting plans in conjunction with other regulatory agencies and issues permits for siting, construction operation and maintenance of electric power generating facilities.	Major - controls electrical power generation facility siting, transmission facility siting, and electrical power rates.
Conservation Commission	<u>Chapter 107, Code of Iowa</u>	Develops long range state recreation plan and master area plans that include land acquisition priorities.	Regulation of uses of the state parks and preserves system.	Major - impacts growth through public investment in, and development of, a state parks and preserves system.
Energy Policy Council	<u>Chapter 93, Code of Iowa</u>	Develops energy need projections.	None	Potentially major - prepares state policy for development, utilization, and conservation of energy resources.

SUMMARY OF STATE AGENCY LAND USE PLANNING AND MANAGEMENT ACTIVITIES

State Agency	Legislative Authority	Planning Functions	Regulatory Functions	Growth Impacts
Department of Environmental Quality	Chapter 455 B, <u>Code of Iowa</u>	Develops water basin plans, waste load allocation studies, wastewater treatment priorities, state air quality plan, develops standards and reviews plans for sanitary landfills, works with Department of Soil Conservation in developing "208" areawide water quality management plans.	Air and water quality monitoring and compliance activities, regulation of sanitary landfills.	Major - impacts growth by limiting amounts of pollution that can be generated. Impacts waste water disposal facility planning and construction.
Department of Health	Chapter 135, <u>Code of Iowa</u>	Develops state health care facilities plan.	The Department, through its local boards, enforces the state housing law and regulates private sewage disposal systems.	Major - impacts spatial use of land for residential purposes, develops area priority plan for health care facilities.
Housing Finance Authority	Chapter 138, <u>Acts of the 66th Iowa General Assembly</u>	Provides financing for low and moderate income housing.	None	Potentially major - funding mechanism for state housing programs.

SUMMARY OF STATE AGENCY LAND USE PLANNING AND MANAGEMENT ACTIVITIES

State Agency	Legislative Authority	Planning Functions	Regulatory Functions	Growth Impacts
Natural Resources Council	Chapter 455A <u>Code of Iowa</u>	Developes a state comprehensive plan for control, utilization, and protection of water resources.	Enforces state water plan, issues permits for the diversion, storage, or withdrawal of water.	Major - impacts growth through control of water supply, water quality control, flood plain management, and water use for energy production.
Office for Planning and Programming	Chapter 7A, <u>Code of Iowa</u>	Works to harmonize land use planning functions between state agencies, provides planning assistance to areawide planning organizations in land use and housing related matters, develops state housing plan.	Division of Municipal Affairs enforces state building code, in relation to state building projects and mobile homes, helps local units of government adopt state building codes. Administers City Development Board functions.	Potentially major - possible coordinating mechanism for all state agency land use related activities, statewide allocation plan for housing rehabilitation and new construction. City Development Board acts on municipal boundary changes, local building code enforcement also influences growth .
Department of Soil Conservation	Chapter 467A, <u>Code of Iowa</u>	Prepares areawide soil and water management plans for sub-state conservancy districts, involved in "non-point source" pollution studies as part of the Department of Environmental Quality's "208" areawide water quality management plans.	Regulation of soil loss on agricultural and urban lands. Also responsible for enforcement of strip mining legislation.	Major - impacts growth by preserving soil and water resources.

SUMMARY OF STATE AGENCY LAND USE PLANNING AND MANAGEMENT ACTIVITIES

State Agency	Legislative Authority	Planning Functions	Regulatory Functions	Growth Impacts
Department of Transportation	Chapter 307, <u>Code of Iowa</u>	Develops a comprehensive transportation plan that includes long and short term planning and investment strategies.	Protects public investments by controlling land uses impacting on transportation facilities (i.e. highway access controls).	Major - impacts growth by determining amount and location of public investment in air, land, and water transportation modes and facilities

Other State Agencies Involved in Land Use Planning and Management in Iowa

In addition to the previously mentioned state agencies that are directly involved with growth management responsibilities, there are a number of other state agencies or organizations that impact growth. Below is a list of these agencies and organizations and a brief description of their function as it relates to growth management in Iowa.

Iowa Geological Survey - Collects, interprets, and reports information on basic geological features and products of the state, including surface ground water. The geological survey also conducts various research programs to further the geologic and hydrologic knowledge of the state.

State Historical Department - Historic Preservation Division - Develops and implements plans for the preservation of historic resources in Iowa.

Iowa Development Commission - Collects and assembles all pertinent information regarding the industrial, agricultural, and recreational opportunities of the State, including data on raw materials, power and

water resources, transportation facilities, banking and financing facilities, and the availability of markets, labor, and industrial sites.

Department of Agriculture - Promotes and advances the interests of agriculture and other kindred and allied industries.

State Archaeologist - Responsible for the discovery, location, and excavation of archaeological sites and for the recovery, restoration, and preservation of archaeological remains. Coordinates with the Department of Transportation, Conservation Commission, and other state agencies concerned with archaeological salvage.

Future of Iowa Interim Planning Committee - State committee created by a legislative proposal with policy committee members appointed by the Governor. The purpose of "Iowa 2000" is educational, including the specific goals of increasing Iowans awareness of future problems, suggesting possible goals, and designing methods to meet those goals. Iowa 2000 has undertaken a public affairs education effort in conjunction with Iowa State University directed at raising Iowan's awareness of problems relating to future land, water, and energy use.

State Universities - Conduct basic land use and growth management research. One of the more pertinent research products of the state universities is the development of a comprehensive land use information system.

Cooperative Extension Service, Iowa State University - Conducts educational courses and seminars state-wide dealing with land use and growth management issues.

Iowa Boards, Councils Committees, and Commissions Involved in Land Use and Programs

Following is a list of twenty-eight state policy bodies that are involved in land use related activities. Twenty-two of these are the policy bodies of state agencies or divisions or sections of state agencies, that have a direct impact on land use. The remaining six were established to deal with specific issues that impact upon land use. The number in parenthesis indicates the number of participating members in the policy committee.

State Board of Health (9) * - Sets policy for State Department of Health.

Hospital and Health Facilities Advisory Council (27)* - Administers the Iowa Hospital Survey and Construction Act.

State Conservation Commission (7) * - Policy body for state agency that oversees natural areas such as lakes, streams, forests, wildlife refuges, state parks, and hunting and fishing grounds.

State Advisory Board for Preserves (6) ** - Recommends and designates areas for state preserves.

State Soil Conservation Committee (8) * - Administers the State Soil Conservation Program.

Land Rehabilitation Advisory Board (7) ** - Advises the Department of Soil Conservation on matters relating to surface mining.

Natural Resources Council (10) * - Policy body for state agency that controls water resources; oversees flood control.

Geological Board (5) * - Directs the state geological survey program.

Executive Committee of the Department of Environmental Quality (10) * :

Sets policy for Department of Environmental Quality.

Solid Waste Disposal Commission (5) ** - Sets environmental standards for solid waste disposal.

Water Quality Commission (5)** Sets environmental standards for water pollution.

Air Quality Commission (5)** - Sets environmental standards for air pollution.

Governor's Committee on Conservation of Outdoor Resources (54) -Promotes the conservation of outdoor resources and the protection of the environment. Established by order of the Governor.

State Historical Board (12)* - Oversees State Historical Department.

Capitol Planning Commission (9) - Plans for future development of State House buildings and grounds.

Mississippi Parkway Planning Commission (10) - Part of interstate commission dealing with development of a national parkway along the Mississippi River.

Upper Mississippi Riverway Commission (4) Part of interstate commission dealing with preservation of scenic areas along the Mississippi River.

State Transportation Commission (7) * - Sets policy for State Department of Transportation.

Legislative Study Committee on Transportation Policy (6) - Monitors the transportation policies and plans developed by the State Department of Transportation; (established by legislative resolution).

Transportation Regulation Board (3)** - Sets rates that can be charged by common carriers.

Energy Policy Council (9)* - Policy body for state agency that sets statewide policy on energy consumption and use.

Iowa State Commerce Commission (3)* - Policy body for state agency that regulates utility companies.

Iowa Development Commission (11)* - Policy body for state agency that promotes industrial and agricultural development.

State Building Code Advisory Council (7)** - Advises the state building code commissioner on construction standards and methods.

State Building Code Board of Review (3)** - Hears appeals of orders issued under the state building code.

Iowa Housing Finance Authority Board (9)* - Provides policy direction for state housing programs.

City Development Board (3)** - Rules on municipal incorporation, discontinuation and other boundary adjustments.

Economic Advisory Council (5) - Offers advice on matter relating to the State's economy and state budgeting, (established by order of the Governor).

* Policy body of state agency with major land use planning or management responsibility.

** Policy body of a division or section of a state agency with major land use planning or management responsibility.

FEDERAL AGENCIES IMPACTING LAND USE IN IOWA

Although there are hundreds of federal programs and agencies that impact land use, only a relatively few have major impacts on the land use decision-making process in Iowa. Following is a list of federal agencies that influence state agency land use decisions through federally mandated programs, federal "pass through" funding or major land use related research and technical assistance.

U.S. Department of Agriculture - Farmers Home Administration

Administers a variety of federally funded programs that stimulate rural development through housing, soil and water conservation, resource conservation and development, flood prevention, and public facility investment.

U.S. Department of Agriculture - Soil Conservation Service

Assists in the conservation, development, and productive use of soil, water, and related resources. Involved with river basin planning, flood plain analysis and conducts county soil surveys. Works closely with the State Department of Soil Conservation in providing local groups information and technical assistance concerning soil conservation.

Department of Commerce - Economic Development Administration

Makes grants and loans to the State and local entities for public facilities, including water and related land resource activities.

Department of Defense - Corps of Engineers

The U.S. Corps of Engineers is directly concerned with all aspects of water resources development and works with the Iowa Natural Resources Council, Department of Soil Conservation, the Department of Environmental Quality, and other appropriate state and local entities in developing river basin, flood control, drainage, hydroelectric power, water supply, and water quality control studies and projects.

Department of Housing and Urban Development

Provides "701" planning grants to the Iowa Office for Planning and Programming, the 16 sub-state areawide planning organizations and various local units of government for comprehensive land use and housing studies. Also administers the Community Development Block Grant program, various housing programs and a flood plain protection program.

Department of Interior - U.S. Geological Survey

Collects and interprets data concerning geology and hydrology in Iowa. Works closely with the Iowa Geological Survey.

Department of Interior - Bureau of Outdoor Recreation

Works through the State Conservation Commission to coordinate, plan, and promote outdoor recreation activities in Iowa.

Department of Interior - U.S. Environmental Protection Agency

Established to prevent, control, and abate pollution and provide integrated environmental management. Planning and regulatory activities are carried out through the State Department of Environmental Quality.

U.S. Department of Transportation

Impacts land use in Iowa through Federal aid for transportation facility construction. Programs are carried out by the Iowa Department of Transportation.