

Miller  
Angelo  
Hansen

SSB-1209  
Local Government

Succeeded By  
SENATE FILE (SF) HF 434  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL  
BY CHAIRPERSON MILLER)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act requiring Iowa state university to conduct a land use  
2 policies study.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. IOWA STATE UNIVERSITY LAND USE POLICIES STUDY.  
2 The general assembly recognizes the importance of preserving  
3 the state's finite supply of agricultural land. It is the  
4 intent of the general assembly and the policy of this state to  
5 provide for the orderly use and development of land and  
6 related natural resources in Iowa for residential, commercial,  
7 industrial, and recreational purposes. It is further the  
8 intent of the general assembly to use state and local tax  
9 policy and other state policies as incentives to encourage  
10 smart and orderly growth in the state of Iowa. It is further  
11 the policy of the state to discourage conversion of prime  
12 agricultural land to other uses while providing for a balance  
13 between legitimate public purposes and private property  
14 rights.

15 Iowa state university shall conduct a study of land use  
16 policies in this state and in other states. The study shall  
17 consider policies discouraging conversion of agricultural  
18 land, such as the limitation on the power of public agencies  
19 to impose special assessments on agricultural land,  
20 limitations on the ability to declare a farm or farm operation  
21 a nuisance, and imposition of a state regulatory scheme that  
22 is less restrictive on farms or farm operations. The study  
23 shall also consider the feasibility and potential uses of the  
24 preparation of county land inventories under chapter 352 and  
25 the creation or expansion of agricultural areas under chapter  
26 352.

27 The study shall review Iowa's annexation laws, including  
28 city development board authority and requirements relating to  
29 annexation of land. The study shall review Iowa's zoning laws  
30 and requirements relating to comprehensive plans.

31 The study shall include a review of smart growth policies  
32 in other states. The university shall identify the types of  
33 smart growth policies currently being used in this state and  
34 in others whose use in this state would be feasible and  
35 effective. The university shall, in the study, give

4/5/01 Referred To: Local Gov.

FILED MAR 13 2001

SENATE FILE 434  
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 1209)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

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SF 434

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4 intent of the general assembly and the policy of this state to  
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6 related natural resources in Iowa for residential, commercial,  
7 industrial, and recreational purposes. It is further the  
8 intent of the general assembly to use state and local tax  
9 policy and other state policies as incentives to encourage  
10 smart and orderly growth in the state of Iowa. It is further  
11 the policy of the state to discourage conversion of prime  
12 agricultural land to other uses while providing for a balance  
13 between legitimate public purposes and private property  
14 rights.

15 If funds are appropriated for this purpose, Iowa state  
16 university shall conduct a study of land use policies in this  
17 state and in other states. The study shall consider policies  
18 discouraging conversion of agricultural land, such as the  
19 limitation on the power of public agencies to impose special  
20 assessments on agricultural land, limitations on the ability  
21 to declare a farm or farm operation a nuisance, and imposition  
22 of a state regulatory scheme that is less restrictive on farms  
23 or farm operations. The study shall also consider the  
24 feasibility and potential uses of the preparation of county  
25 land inventories under chapter 352 and the creation or  
26 expansion of agricultural areas under chapter 352.

27 The study shall review Iowa's annexation laws, including  
28 city development board authority and requirements relating to  
29 annexation of land. The study shall review Iowa's zoning laws  
30 and requirements relating to comprehensive plans.

31 The study shall include a review of smart growth policies  
32 in other states. The university shall identify the types of  
33 smart growth policies currently being used in this state and  
34 in others whose use in this state would be feasible and  
35 effective. The university shall, in the study, give

1 particular attention to smart growth policies which prohibit  
2 financial assistance to those cities and counties that are not  
3 adhering to a comprehensive or other strategic development  
4 plan.

5 The study shall review current state and local tax  
6 assessments and incentives that encourage development and  
7 affect, directly or indirectly, the course of development in  
8 the state. The university shall also study local government  
9 economic development programs and infrastructure finance  
10 programs and the effect of those programs on development. The  
11 study shall give particular attention to finding a balance  
12 between state and local policies and taxation that require  
13 increased government regulation and those providing the  
14 private sector an incentive to act in a way that furthers  
15 state and local land use policies.

16 Iowa state university may request from any state agency or  
17 official the information and assistance needed to perform the  
18 study.

19 Iowa state university shall submit a final report and an  
20 executive summary of the final report to the general assembly  
21 no later than January 2, 2002. The final report and executive  
22 summary shall contain suggested goals for the state regarding  
23 land use and recommendations for utilization of a smart growth  
24 policy.

#### EXPLANATION

25  
26 This bill requires Iowa state university to conduct a study  
27 of land use policies if funds are appropriated for the study.  
28 The university is required to study current state and local  
29 tax incentives for development of land and related natural  
30 resources. The university also is required to study policies  
31 in place in the state of Iowa which discourage conversion of  
32 agricultural land. The study is required to consider the  
33 feasibility of preparation of county land use inventories and  
34 the creation or expansion of agricultural areas.

35 The university is required to study Iowa's annexation laws

1 and zoning laws.

2 The study is also required to review smart growth policies  
3 in other states and those currently being used in the state of  
4 Iowa. Smart growth policies which are to be focused upon  
5 include those that prohibit financial assistance to cities and  
6 counties that do not adhere to a comprehensive plan or other  
7 strategic development plan.

8 The university is required to study whether current state  
9 and local tax incentives encourage or affect development. The  
10 university is to study local government economic development  
11 programs and infrastructure finance programs and their effect  
12 on development. The study shall give attention to government  
13 regulation and government incentives regarding land use  
14 polices.

15 Iowa state university is required to submit a final report  
16 and executive summary to the general assembly no later than  
17 January 2, 2002. The final report and executive summary of  
18 the final report shall contain suggested goals for the state  
19 regarding land use and recommendations for utilization of a  
20 smart growth policy.

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**SENATE FILE 434  
FISCAL NOTE**

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A fiscal note for **Senate File 434** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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Senate File 434 requires Iowa State University (ISU) to conduct a study of land use policies in Iowa and other states, if funds are appropriated for the study. The Bill requires ISU to submit a report to the General Assembly by January 2, 2002.

**ASSUMPTIONS**

1. The study would require 1.75 faculty and 4 half-time graduate assistants (\$170,000).
2. The study would require a legal consultant for approximately 200 hours (\$40,000).
3. Publishing the study report would cost \$45,000.

**FISCAL IMPACT**

The fiscal impact of SF 434 is a one-time cost of \$255,000 for FY 2002.

**SOURCE**

Board of Regents - Iowa State University

(LSB 3120SV, MAS)

FILED MARCH 19, 2001

BY DENNIS PROUTY, FISCAL DIRECTOR