



Iowa Smart Planning

**Legislative Guide
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Iowa Smart Planning Legislation

The Iowa Smart Planning Act was signed into law on April 26, 2010. The legislation, found in Iowa State Code Chapter 18B: Land Use – Smart Planning, has three components:

1. Articulates ten Iowa Smart Planning Principles for application in local comprehensive plan development and public investment decision-making,
2. Provides comprehensive planning guidance for cities and counties, and
3. Establishes the Iowa Smart Planning Task Force with various responsibilities.

The Iowa Smart Planning Act does not mandate how communities should grow, rather it requires that communities and state agencies consider Smart Planning Principles when planning for the future and provides guidance concerning important elements local plans should include. This document provides an overview of the three components identified above.

Iowa Smart Planning Principles

The first major section of the Iowa Smart Planning Act outlines ten Iowa Smart Planning Principles. These principles must be considered and may be applied when local governments and state agencies deliberate all appropriate planning, zoning, development, and resource management decisions. Application of these principles is intended to produce greater economic opportunity, enhance environmental integrity, improve public health outcomes, and safeguard Iowa's quality of life. The principles also address the need for fair and equitable decision-making processes. Language was included in the Act stipulating that application of Smart Planning Principles does not expand nor reduce the authority of state and local governments and other public entities to exercise eminent domain.

The Iowa Smart Planning Principles include:

1. Collaboration

Governmental, community, and individual stakeholders, including those outside the jurisdiction of the entity, are encouraged to be involved and provide comment during deliberation of planning, zoning, development, and resource management decisions and during implementation of such decisions. The state agency, local government, or other public entity is encouraged to develop and implement a strategy to facilitate such participation.

2. Efficiency, Transparency, and Consistency

Planning, zoning, development, and resource management should be undertaken to provide efficient, transparent, and consistent outcomes. Individuals, communities, regions, and governmental entities should share in the responsibility to promote the equitable distribution of development benefits and costs.

3. Clean, Renewable, and Efficient Energy

Planning, zoning, development, and resource management should be undertaken to promote clean and renewable energy use and increased energy efficiency.

4. Occupational Diversity

Planning, zoning, development, and resource management should promote increased diversity of employment and business opportunities, promote access to education and training, expand entrepreneurial opportunities, and promote the establishment of businesses in locations near existing housing, infrastructure, and transportation.

5. Revitalization

Planning, zoning, development, and resource management should facilitate the revitalization of established town centers and neighborhoods by promoting development that conserves land, protects historic resources, promotes pedestrian accessibility, and integrates different uses of property. Remediation and reuse of existing sites, structures, and infrastructure is preferred over new construction in undeveloped areas.

6. Housing Diversity

Planning, zoning, development, and resource management should encourage diversity in the types of available housing, support the rehabilitation of existing housing, and promote the location of housing near public transportation and employment centers.

7. Community Character

Planning, zoning, development, and resource management should promote activities and development that are consistent with the character and architectural style of the community and should respond to local values regarding the physical character of the community.

8. Natural Resources and Agricultural Protection

Planning, zoning, development, and resource management should emphasize protection, preservation, and restoration of natural resources, agricultural land, and cultural and historic landscapes, and should increase the availability of open spaces and recreational facilities.

9. Sustainable Design

Planning, zoning, development, and resource management should promote developments, buildings, and infrastructure that utilize sustainable design and construction standards and conserve natural resources by reducing waste and pollution through efficient use of land, energy, water, air, and materials.

10. Transportation Diversity

Planning, zoning, development, and resource management should promote expanded transportation options for residents of the community. Consideration should be given to transportation options that maximize mobility, reduce congestion, conserve fuel, and improve air quality.

Local Comprehensive Planning

The second major section of the Iowa Smart Planning Act outlines 13 elements that may be included in a city or county comprehensive plan:

A. Public Participation Element

Information relating to public participation during the creation of the comprehensive plan or land development regulations, including documentation of the public participation process, a compilation of objectives, policies, and goals identified in the public comment received, and identification of the groups or individuals comprising any work groups or committees that were created to assist the planning and zoning commission or other appropriate decision-making body of the municipality.

B. Issues and Opportunities Element

Information relating to the primary characteristics of the municipality and a description of how each of those characteristics impacts future development of the municipality. Such information may include historical information about the municipality, the municipality's geography, natural resources, natural hazards, population, demographics, types of employers and industry, labor force, political and community institutions, housing, transportation, educational resources, and cultural and recreational resources. The comprehensive plan or land development regulations may also identify characteristics and community aesthetics that are important to future development of the municipality.

C. Land Use Element

Objectives, information, and programs that identify current land uses within the municipality and that guide the future development and redevelopment of property, consistent with the municipality's characteristics identified under the Issues and Opportunities Element. The comprehensive plan or land development regulations may include information on the amount, type, intensity, and density of existing land use, trends in the market price of land used for specific purposes, and plans for future land use throughout the municipality. The comprehensive plan or land development regulations may identify and include information on property that has the possibility for redevelopment, a map of existing and potential land use and land use conflicts, information and maps relating to the current and future provision of utilities within the municipality, information and maps that identify the current and future boundaries for areas reserved for soil conservation, water supply conservation, flood control, and surface water drainage and removal. Information provided under this paragraph may also include an analysis of the current and potential impacts on local watersheds and air quality.

D. Housing Element

Objectives, policies, and programs to further the vitality and character of established residential neighborhoods and new residential neighborhoods and plans to ensure an adequate housing supply that meets both the existing and forecasted housing demand. The comprehensive plan or land development regulations may include an inventory and analysis of the local housing stock and may include specific information such as age, condition, type, market value, occupancy, and historical characteristics of all the housing

within the municipality. The comprehensive plan or land development regulations may identify specific policies and programs that promote the development of new housing and maintenance or rehabilitation of existing housing and that provide a range of housing choices that meet the needs of the residents of the municipality.

E. Public Infrastructure and Utilities Element

Objectives, policies, and programs to guide future development of sanitary sewer service, storm water management, water supply, solid waste disposal, wastewater treatment technologies, recycling facilities, and telecommunications facilities. The comprehensive plan or land development regulations may include estimates regarding future demand for such utility services.

F. Transportation Element

Objectives, policies, and programs to guide the future development of a safe, convenient, efficient, and economical transportation system. Plans for such a transportation system may be coordinated with state and regional transportation plans and take into consideration the need for diverse modes of transportation, accessibility, improved air quality, and interconnectivity of the various modes of transportation.

G. Economic Development Element

Objectives, policies, and programs to promote the stabilization, retention, or expansion of economic development and employment opportunities. The comprehensive plan or land development regulations may include an analysis of current industries and economic activity and identify economic growth goals for the municipality. The comprehensive plan or land development regulations may also identify locations for future brownfield or grayfield development.

H. Agricultural and Natural Resources Element

Objectives, policies, and programs addressing preservation and protection of agricultural and natural resources.

I. Community Facilities Element

Objectives, policies, and programs to assist future development of educational facilities, cemeteries, health care facilities, child care facilities, law enforcement and fire protection facilities, libraries, and other governmental facilities that are necessary or desirable to meet the projected needs of the municipality.

J. Community Character Element

Objectives, policies, and programs to identify characteristics and qualities that make the municipality unique and that are important to the municipality's heritage and quality of life.

K. Hazards Element

Objectives, policies, and programs that identify the natural and other hazards that have the greatest likelihood of impacting the municipality or that pose a risk of catastrophic damage as such hazards relate to land use and development decisions, as well as the steps

necessary to mitigate risk after considering the local hazard mitigation plan approved by the Federal Emergency Management Agency.

L. Intergovernmental Collaboration Element

Objectives, policies, and programs for joint planning and joint decision-making with other municipalities or governmental entities, including school districts and drainage districts, for siting and constructing public facilities and sharing public services. The comprehensive plan or land development regulations may identify existing or potential conflicts between the municipality and other local governments related to future development of the municipality and may include recommendations for resolving such conflicts. The comprehensive plan or land development regulations may also identify opportunities to collaborate and partner with neighboring jurisdictions and other entities in the region for projects of mutual interest.

M. Implementation Element

A compilation of programs and specific actions necessary to implement any provision of the comprehensive plan, including changes to any applicable land development regulations, official maps, or subdivision ordinances.

The Act stipulates that local comprehensive plans developed using the guidelines listed above shall address prevention and mitigation of, response to, and recovery from catastrophic flooding. The Act also stipulates that cities and counties shall consider and may apply Smart Planning Principles when developing or amending a comprehensive plan or developing other local land development regulations.

Iowa Code Chapters 335, County Zoning, and 414, City Zoning, already state that zoning regulations shall be made in accordance with a comprehensive plan. These two chapters, along with Chapter 329, Airport Zoning, were amended to state that zoning regulations shall be made with consideration of the Iowa Smart Planning Principles. County boards of supervisors and city councils are also directed to publish notice of meetings in which a comprehensive plan will be considered for adoption. Following adoption, copies of county comprehensive plans are to be sent or made available to neighboring counties, cities within the county, the council of governments or regional planning commission where the county is located, and public libraries within the county. Cities are to send or make available copies of comprehensive plans to the county where the city is located, neighboring counties and cities, the council of governments or local planning commission where the city located, and public libraries within the city.

Iowa Code Chapter 28I, Metropolitan or Regional Planning Commissions, was also amended to state that comprehensive plans completed under this chapter shall be made with consideration of the Iowa Smart Planning Principles.

Nothing in this bill should be read to negate local comprehensive plans already in effect prior to the Act's passage and should not hinder cities, counties, and regions from producing innovative plans that go above and beyond the guidelines listed above.