

**House Study Bill 516 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON COMMERCE BILL BY  
CHAIRPERSON LUNDGREN)

**A BILL FOR**

1 An Act relating to the zoning of maternity group homes.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 414.27 Zoning for maternity group  
2 homes.

3 1. It is the intent of this section to assist in improving  
4 the quality of life of new and expecting mothers by making  
5 available to them community residential opportunities in the  
6 residential areas of this state. In order to implement this  
7 intent, this section shall be liberally construed.

8 2. a. "*Maternity group home*" means a community-based  
9 residential home that provides room and board, personal care,  
10 supervision, training, support, and education in a family  
11 environment for women who are either pregnant or who have given  
12 birth within the preceding twenty-four months and live with  
13 their children, and includes overnight room accommodations and  
14 administrative and office space for those persons who provide  
15 such services.

16 b. "*Permitted use*" means the same as defined in section  
17 414.22.

18 c. "*Residential*" means the same as defined in section  
19 414.22.

20 3. Notwithstanding any provision of this chapter to the  
21 contrary, a city, city council, or city zoning commission shall  
22 consider a maternity group home a residential use of property  
23 for the purpose of zoning and shall treat a maternity group  
24 home as a permitted use in all residential zones or districts,  
25 including all single-family residential zones or districts,  
26 of the city. A city, city council, or city zoning commission  
27 shall not require that a maternity group home, its owner, or  
28 its operator obtain a conditional use permit, special use  
29 permit, special exception, or variance. However, new maternity  
30 group homes owned and operated by public or private agencies  
31 shall be dispersed throughout the residential zones and  
32 districts and shall not be located within contiguous city block  
33 areas.

34 4. Any restriction, reservation, condition, exception, or  
35 covenant in any subdivision plan, deed, or other instrument

1 of or pertaining to the transfer, sale, lease, or use of  
2 property in a city that permits residential use of property but  
3 prohibits the use of property as a maternity group home for new  
4 and expecting mothers, to the extent of the prohibition, is  
5 void as against the public policy of this state and shall not  
6 be given legal or equitable effect.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with  
9 the explanation's substance by the members of the general assembly.

10 This bill requires a city, city council, or city zoning  
11 commission to consider a maternity group home as a residential  
12 use of property for the purpose of zoning and to treat a  
13 maternity group home as a permitted use in all residential  
14 zones or districts. The bill defines "maternity group home",  
15 "permitted use", and "residential". The bill provides that any  
16 restriction, reservation, condition, exception, or covenant  
17 in any subdivision plan, deed, or other instrument of or  
18 pertaining to the transfer, sale, lease, or use of property in  
19 a city that permits residential use of property but prohibits  
20 the use of property as a maternity group home for new and  
21 expecting mothers, to the extent of the prohibition, is void as  
22 against the public policy of this state and shall not be given  
23 legal or equitable effect.

24 The bill does not include similar provisions for county  
25 zoning under Code chapter 335.