

3-6-97 Agriculture

FILED MAR 6 1997

SENATE FILE 352
BY DELUHERY

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to confinement swine feeding operations by
2 providing for county zoning.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 352

1 Section 1. Section 335.2, Code 1997, is amended to read as
2 follows:

3 335.2 PARMS AGRICULTURAL USES EXEMPT.

4 1. As used in this section:

5 a. "Agricultural purpose" means any use connected or
6 related to farming.

7 b. "Animal weight capacity" means the same as defined in
8 section 455B.161.

9 c. "Confinement swine feeding operation" means a
10 confinement feeding operation as defined in section 455B.161
11 in which swine are confined and fed.

12 d. "Farming" means the same as defined in section 9H.1.

13 2. ~~Except to the extent required to implement section~~
14 ~~335.27, no as provided in this section, an ordinance adopted~~
15 ~~under this chapter applies shall not apply to land, farm~~
16 ~~including houses, farm barns, farm outbuildings, or other~~
17 ~~buildings or structures located on the land, which are is~~
18 ~~primarily adapted, by reason of nature and area, for use for~~
19 ~~an agricultural purposes purpose, while so used. However, the~~
20 ~~ordinances may apply to any~~

21 3. Subsection 2 shall not apply to any of the following:

22 a. A confinement swine feeding operation which has an
23 animal weight capacity of more than two hundred thousand
24 pounds.

25 b. An ordinance required to implement an agricultural land
26 preservation ordinance, as provided in section 335.27.

27 c. A structure, building, dam, obstruction, deposit or
28 excavation in or on the flood plains of any a river or stream.

29 EXPLANATION

30 This bill amends Code section 335.2 which currently
31 provides that land and structures relating to an agricultural
32 operation are exempt from county zoning requirements. The
33 bill provides that the exemption does not apply to confinement
34 swine feeding operations, if the confinement feeding operation
35 has an animal weight capacity of more than 200,000 pounds.