

FEB 9 1995

HOUSE FILE 157
BY HAMMITT and CATALDO

STATE GOVERNMENT

(COMPANION TO SF 98
BY JENSEN)

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

A BILL FOR

1 An Act relating to the preservation of the Iowa state capitol.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22

HF 157

1 Section 1. Section 414.1, Code 1995, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. The city of Des Moines may, for
4 the purpose of preserving the dominance of the Iowa state
5 capitol dome and the view of the Iowa state capitol from
6 prominent public viewing points, regulate and restrict the
7 height, number of stories, and size of buildings and other
8 structures in the city.

9 Sec. 2. Section 414.3, unnumbered paragraph 1, Code 1995,
10 is amended to read as follows:

11 The regulations shall be made in accordance with a
12 comprehensive plan and designed to preserve the availability
13 of agricultural land; to consider the protection of soil from
14 wind and water erosion; to encourage efficient urban
15 development patterns; to lessen congestion in the street; to
16 secure safety from fire, flood, panic, and other dangers; to
17 promote health and the general welfare; to provide adequate
18 light and air; to prevent the overcrowding of land; to avoid
19 undue concentration of population; to promote the conservation
20 of energy resources; to promote reasonable access to solar
21 energy; and to facilitate the adequate provision of
22 transportation, water, sewerage, schools, parks, and other
23 public requirements. However, provisions of this section
24 relating to the objectives of energy conservation and access
25 to solar energy do not void any zoning regulation existing on
26 July 1, 1981, or require zoning in a city that did not have
27 zoning prior to July 1, 1981. If regulations are adopted by
28 the city of Des Moines pursuant to section 414.1 for the
29 purpose of preserving the dominance of the Iowa state capitol
30 dome and the view of the Iowa state capitol, the regulations
31 shall be made in accordance with a comprehensive plan.

32 Sec. 3. NEW SECTION. 414.32 COMPLIANCE BY THE STATE.

33 If regulations are adopted by the city of Des Moines
34 pursuant to section 414.1 for the purpose of preserving the
35 dominance of the Iowa state capitol dome and the view of the

1 Iowa state capitol, the city may make the regulations
2 applicable to real estate and buildings owned by the state
3 which are located in the city.

4 EXPLANATION

5 This bill provides that the city of Des Moines may, for the
6 purpose of preserving the dominance of the Iowa state capitol
7 dome and the view of the Iowa state capitol from prominent
8 public viewing points, regulate and restrict the height,
9 number of stories, and size of buildings and other structures
10 in the city. The bill provides that the regulations must be
11 made according to a comprehensive plan, and the regulations
12 may apply to real estate and buildings owned by the state
13 which are located in the city.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35