

2-8-95 Rules + admin.  
2-22-95 Do Pass  
H-3/1/95 State Gov.  
H-3/28/95 Do Pass  
FILED FEB 7 1995  
98 4/3/95 unfinished  
Burchina Colorado

SENATE FILE 98  
BY JENSEN, BISIGNANO, and PALMER

(p.469)  
Passed Senate, Date 2/28/95 Passed House, Date \_\_\_\_\_  
Vote: Ayes 49 Nays 0 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:

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SENATE FILE 98

H-3812

1 Amend Senate File 98, as passed by the Senate, as  
2 follows:  
3 1. Page 1, line 31, by inserting after the word  
4 "plan." the following: "The city of Des Moines shall  
5 consult with the capitol planning commission created  
6 pursuant to section 18A.1 in preparing the part of the  
7 comprehensive plan which provides for preserving the  
8 dominance of the Iowa state capitol dome and the view  
9 of the Iowa state capitol."  
10 2. By striking page 1, line 32, through page 2,  
11 line 3.

By DRAKE of Pottawattamie

H-3812 FILED APRIL 10, 1995

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S.F. 98

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.

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