

FILED JAN 21 1998

SENATE FILE 2050
BY VILSACK

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

A BILL FOR

1 An Act providing for county zoning of confinement feeding
2 operations and related structures constructed pursuant to a
3 permit approved by the department of natural resources.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2050

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

3 335.2 FARMS AGRICULTURAL PURPOSES EXEMPT.

4 ~~Except to the extent required to implement section 335.277~~
5 ~~no as provided in this section, an ordinance adopted under~~
6 ~~this chapter applies shall not apply to an agricultural~~
7 ~~operation, including land, farm houses, farm barns, farm~~
8 ~~outbuildings, or other buildings or structures which are~~
9 ~~primarily adapted, by reason of nature and area, for use for~~
10 ~~an agricultural purposes purpose, while so used. However, the~~
11 ~~ordinances an ordinance adopted under this chapter may apply~~
12 ~~to any of the following:~~

13 1. The implementation of an agricultural land preservation
14 ordinance, as provided in section 335.27.

15 2. A structure, building, dam, obstruction, deposit or
16 excavation in or on the flood plains of any a river or stream.

17 3. A confinement feeding operation or a related animal
18 feeding operation structure which must be constructed pursuant
19 to a permit approved by the department of natural resources
20 pursuant to section 455B.173.

21 EXPLANATION

22 This bill amends Code chapter 335, which provides for
23 county zoning. Code section 335.2 currently provides that
24 county zoning does not apply to land used for an agricultural
25 purpose. The bill provides that the exemption does not apply
26 to a confinement feeding operation or a related structure, if
27 the operation or structure is required to be constructed
28 pursuant to a permit approved by the department of natural
29 resources.

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