

*Substituted for  
1d/F 640  
3/27/97 (P. 896)*

FILED MAR 12 1997

SENATE FILE **433**  
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 227)

Passed Senate, Date 3/24/97 (p. 139) Passed House, Date 3-31-97 *(P. 907)*

Vote: Ayes 46 Nays 0 Vote: Ayes 88 Nays 9

Approved April 30, 1997

*(P. 1129) Passed 4-14-97  
Vote 45-0*

A BILL FOR

1 An Act relating to the definition and location of a land-leased  
2 community.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 433

1 Section 1. NEW SECTION. 335.30A LAND-LEASED COMMUNITIES.

2 A county shall not adopt or enforce zoning or subdivision  
3 regulations or other ordinances which disallow the plans and  
4 specifications of land-leased communities solely because the  
5 housing within the land-leased community will be modular or  
6 manufactured housing. A county shall not adopt or enforce  
7 zoning or subdivision regulations or other ordinances which  
8 mandate width standards for a single modular or manufactured  
9 housing unit which is sited upon land otherwise zoned as  
10 agricultural.

11 "Land-leased community" means any site, lot, field, or  
12 tract of land under common ownership upon which ten or more  
13 occupied manufactured homes, modular homes, or a combination  
14 of the homes are harbored, either free of charge or for  
15 revenue purposes, and shall include any building, structure,  
16 or enclosure used or intended for use as part of the equipment  
17 of the land-leased community. The term "land-leased  
18 community" shall not be construed to include homes, buildings,  
19 or other structures temporarily maintained by any individual,  
20 educational institution, or company on their own premises and  
21 used exclusively to house their own labor or students.

22 Sec. 2. NEW SECTION. 414.28A LAND-LEASED COMMUNITIES.

23 A city shall not adopt or enforce zoning or subdivision  
24 regulations or other ordinances which disallow the plans and  
25 specifications of land-leased communities solely because the  
26 housing within the land-leased community will be modular or  
27 manufactured housing.

28 "Land-leased community" means any site, lot, field, or  
29 tract of land under common ownership upon which ten or more  
30 occupied manufactured homes, modular homes, or a combination  
31 of the homes are harbored, either free of charge or for  
32 revenue purposes, and shall include any building, structure,  
33 or enclosure used or intended for use as part of the equipment  
34 of the land-leased community. The term "land-leased  
35 community" shall not be construed to include homes, buildings,

1 or other structures temporarily maintained by any individual,  
2 educational institution, or company on their own premises and  
3 used exclusively to house their own labor or students.

4 EXPLANATION

5 This bill provides a definition of land-leased community to  
6 be a site or tract of land under common ownership upon which  
7 10 or more occupied manufactured homes, modular homes, or a  
8 combination of those homes are harbored, free of charge or for  
9 revenue purposes.

10 The bill also amends city and county zoning laws to  
11 prohibit ordinances and regulations from disallowing plans and  
12 specifications of land-leased communities solely because the  
13 housing will be modular or manufactured housing units. The  
14 bill also prohibits ordinances which mandate width standards  
15 for single modular or manufactured housing units which are  
16 sited on land zoned as agricultural.

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SENATE FILE 433

H-1473

- 1 Amend the amendment, H-1427, to Senate File 433, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, line 18, by inserting after the word
- 4 "land." the following: "However, this paragraph shall
- 5 not prohibit a county from adopting and enforcing
- 6 zoning regulations related to transportation, water,
- 7 sewerage, or other land development."
- 8 2. Page 1, line 31, by inserting after the figure
- 9 "5403." the following: "However, this paragraph shall
- 10 not prohibit a city from adopting and enforcing zoning
- 11 regulations related to transportation, water,
- 12 sewerage, or other land development."

By RICHARDSON of Warren

H-1473 FILED MARCH 31, 1997

*Adopted 3-31-97  
(P. 906)*

SENATE FILE 433

H-1474

- 1 Amend Senate File 433, as follows:
- 2 1. Title page, by inserting after the word "home"
- 3 the words "and providing an effective date".

By CARROLL of Poweshiek

H-1474 FILED MARCH 31, 1997

*Adopted 3-31-97 (P. 907)*

SENATE FILE 433

H-1371

- 1 Amend Senate File 433, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by inserting after line 3 the
- 4 following:
- 5 "Sec. \_\_\_\_ . This Act, being deemed of immediate
- 6 importance, takes effect upon enactment."
- 7 2. Title page, line 2, by inserting after the
- 8 word "community" the following: "and providing an
- 9 effective date".

By CARROLL of Poweshiek

H-1371 FILED MARCH 25, 1997

*Lines 1-6 Adopted  
3/31/97 (P. 907)*

*Jordan  
3/31/97  
P. 907*

SENATE FILE 433

H-1448

1 Amend Senate File 433 as follows:

2 1. Page 1, lines 13 and 14, by striking the words  
3 ", modular homes, or a combination of the homes" and  
4 inserting the following: "or modular homes".

5 2. Page 1, lines 30 and 31, by striking the words  
6 ", modular homes, or a combination of the homes" and  
7 inserting the following: "or modular homes".

By RICHARDSON of Warren

H-1448 FILED MARCH 27, 1997

*Adopted 3-31-97 (P. 906)*

SENATE FILE 433

H-1427

1 Amend Senate File 433, as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section 335.30, Code 1997, is amended  
6 by adding the following new paragraph:

7 NEW UNNUMBERED PARAGRAPH. A county shall not adopt  
8 or enforce construction, building, or design  
9 ordinances, regulations, requirements, or restrictions  
10 which would mandate width standards greater than  
11 twenty-four feet, roof pitch, or other design  
12 standards for manufactured housing if the housing  
13 otherwise complies with 42 U.S.C. § 5403. A county  
14 shall not adopt or enforce zoning or subdivision  
15 regulations or other ordinances which mandate width  
16 standards for a single modular or manufactured home  
17 which is sited upon land otherwise zoned as  
18 agricultural land."

19 2. Page 1, by striking lines 6 through 10 and  
20 inserting the following: "manufactured housing."

21 3. Page 1, by inserting after line 21 the  
22 following:

23 "Sec. \_\_\_\_ . Section 414.28, Code 1997, is amended  
24 by adding the following new paragraph:

25 NEW UNNUMBERED PARAGRAPH. A city shall not adopt  
26 or enforce construction, building, or design  
27 ordinances, regulations, requirements, or restrictions  
28 which would mandate width standards greater than  
29 twenty-four feet, roof pitch, or other design  
30 standards for manufactured housing if the housing  
31 otherwise complies with 42 U.S.C. § 5403."

32 4. Title page, by striking lines 1 and 2 and  
33 inserting the following: "An Act relating to  
34 regulation and location of a land-leased community or  
35 a modular or manufactured home."

By CARROLL of Poweshiek

H-1427 FILED MARCH 26, 1997

*Adopted  
Matt Richardson 3/31/97 (P. 906)*

S-3296

1 Amend Senate File 433, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, by inserting before line 1 the  
 4 following:  
 5 "Section 1. Section 335.30, Code 1997, is amended  
 6 by adding the following new paragraph:  
 7 NEW UNNUMBERED PARAGRAPH. A county shall not adopt  
 8 or enforce construction, building, or design  
 9 ordinances, regulations, requirements, or restrictions  
 10 which would mandate width standards greater than  
 11 twenty-four feet, roof pitch, or other design  
 12 standards for manufactured housing if the housing  
 13 otherwise complies with 42 U.S.C. § 5403. A county  
 14 shall not adopt or enforce zoning or subdivision  
 15 regulations or other ordinances which mandate width  
 16 standards for a single modular or manufactured home  
 17 which is sited upon land otherwise zoned as  
 18 agricultural land. However, this paragraph shall not  
 19 prohibit a county from adopting and enforcing zoning  
 20 regulations related to transportation, water,  
 21 sewerage, or other land development."  
 22 2. Page 1, by striking lines 6 through 10 and  
 23 inserting the following: "manufactured housing."  
 24 3. Page 1, lines 13 and 14, by striking the words  
 25 ", modular homes, or a combination of the homes" and  
 26 inserting the following: "or modular homes".  
 27 4. Page 1, by inserting after line 21 the  
 28 following:  
 29 "Sec. \_\_\_\_ . Section 414.28, Code 1997, is amended  
 30 by adding the following new paragraph:  
 31 NEW UNNUMBERED PARAGRAPH. A city shall not adopt  
 32 or enforce construction, building, or design  
 33 ordinances, regulations, requirements, or restrictions  
 34 which would mandate width standards greater than  
 35 twenty-four feet, roof pitch, or other design  
 36 standards for manufactured housing if the housing  
 37 otherwise complies with 42 U.S.C. § 5403. However,  
 38 this paragraph shall not prohibit a city from adopting  
 39 and enforcing zoning regulations related to  
 40 transportation, water, sewerage, or other land  
 41 development."  
 42 5. Page 1, lines 30 and 31, by striking the words  
 43 ", modular homes, or a combination of the homes" and  
 44 inserting the following: "or modular homes".  
 45 6. Page 2, by inserting after line 3 the  
 46 following:  
 47 "Sec. \_\_\_\_ . This Act, being deemed of immediate  
 48 importance, takes effect upon enactment."  
 49 7. Title page, by striking lines 1 and 2 and  
 50 inserting the following: "An Act relating to  
 S-3296 -1-

S-3296

Page 2

1 regulation and location of a land-leased community or  
 2 a modular or manufactured home."  
 3 8. Title page, by inserting after the word "home"  
 4 the words "and providing an effective date".  
 5 9. By renumbering, relettering, or redesignating  
 6 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3296 FILED MARCH 31, 1997

*Senate Concurred*  
 4/14/97  
 (P. 1128)



Boettger, Ch  
Dearden  
Redwine

SSB 227

Local Government

Recorded By  
SENATE FILE 433  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL BY  
CHAIRPERSON ZIEMAN)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the definition and location of a land-leased  
2 community.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 335.30A LAND-LEASED COMMUNITIES.

2 A county shall not adopt or enforce zoning or subdivision  
3 regulations or other ordinances which disallow the plans and  
4 specifications of land-leased communities solely because the  
5 housing within the land-leased community will be modular or  
6 manufactured housing. A county shall not adopt or enforce  
7 zoning or subdivision regulations or other ordinances which  
8 mandate width standards for a single modular or manufactured  
9 housing unit which is sited upon land otherwise zoned as  
10 agricultural.

11 Sec. 2. NEW SECTION. 414.28A LAND-LEASED COMMUNITIES.

12 A city shall not adopt or enforce zoning or subdivision  
13 regulations or other ordinances which disallow the plans and  
14 specifications of land-leased communities solely because the  
15 housing within the land-leased community will be modular or  
16 manufactured housing.

17 Sec. 3. Section 435.1, Code 1997, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 1A. "Land-leased community" means any  
20 site, lot, field, or tract of land under common ownership upon  
21 which ten or more occupied manufactured homes, modular homes,  
22 or a combination of the homes are harbored, either free of  
23 charge or for revenue purposes, and shall include any  
24 building, structure, or enclosure used or intended for use as  
25 part of the equipment of the land-leased community. The term  
26 "land-leased community" shall not be construed to include  
27 homes, buildings, or other structures temporarily maintained  
28 by any individual, educational institution, or company on  
29 their own premises and used exclusively to house their own  
30 labor or students.

31 Sec. 4. NEW SECTION. 435.2 ZONING REGULATION.

32 A land-leased community may be subject to zoning or  
33 subdivision regulations or ordinances pursuant to section  
34 335.30A or 414.28A.

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EXPLANATION

1 This bill provides a definition of land-leased community to  
2 be a site or tract of land under common ownership upon which  
3 10 or more occupied manufactured homes, modular homes, or a  
4 combination of those homes are harbored, free of charge or for  
5 revenue purposes.

6 The bill also amends city and county zoning laws to  
7 prohibit ordinances and regulations from disallowing plans and  
8 specifications of land-leased communities solely because the  
9 housing will be modular or manufactured housing units. The  
10 bill also prohibits ordinances which mandate width standards  
11 for single modular or manufactured housing units which are  
12 sited on land zoned as agricultural.

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SENATE FILE 433

AN ACT  
RELATING TO REGULATION AND LOCATION OF A LAND-LEASED  
COMMUNITY OR A MODULAR OR MANUFACTURED HOME AND  
PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 335.30, Code 1997, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A county shall not adopt or enforce construction, building, or design ordinances, regulations, requirements, or restrictions which would mandate width standards greater than twenty-four feet, roof pitch, or other design standards for manufactured housing if the housing otherwise complies with 42 U.S.C. § 5403. A county shall not adopt or enforce zoning or subdivision regulations or other ordinances which mandate width standards for a single modular or manufactured home which is sited upon land otherwise zoned as agricultural land. However, this paragraph shall not prohibit a county from adopting and enforcing zoning regulations related to transportation, water, sewerage, or other land development.

Sec. 2. NEW SECTION. 335.30A LAND-LEASED COMMUNITIES.

A county shall not adopt or enforce zoning or subdivision regulations or other ordinances which disallow the plans and specifications of land-leased communities solely because the housing within the land-leased community will be modular or manufactured housing.

"Land-leased community" means any site, lot, field, or tract of land under common ownership upon which ten or more occupied manufactured homes or modular homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, or enclosure used or intended

for use as part of the equipment of the land-leased community. The term "land-leased community" shall not be construed to include homes, buildings, or other structures temporarily maintained by any individual, educational institution, or company on their own premises and used exclusively to house their own labor or students.

Sec. 3. Section 414.28, Code 1997, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A city shall not adopt or enforce construction, building, or design ordinances, regulations, requirements, or restrictions which would mandate width standards greater than twenty-four feet, roof pitch, or other design standards for manufactured housing if the housing otherwise complies with 42 U.S.C. § 5403. However, this paragraph shall not prohibit a city from adopting and enforcing zoning regulations related to transportation, water, sewerage, or other land development.

Sec. 4. NEW SECTION. 414.28A LAND-LEASED COMMUNITIES.

A city shall not adopt or enforce zoning or subdivision regulations or other ordinances which disallow the plans and specifications of land-leased communities solely because the housing within the land-leased community will be modular or manufactured housing.

"Land-leased community" means any site, lot, field, or tract of land under common ownership upon which ten or more occupied manufactured homes or modular homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, or enclosure used or intended for use as part of the equipment of the land-leased community. The term "land-leased community" shall not be construed to include homes, buildings, or other structures temporarily maintained by any individual, educational institution, or company on their own premises and used exclusively to house their own labor or students.

Senate File 433, p. 3

Sec. 5. This Act, being deemed of immediate importance,  
takes effect upon enactment.

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MARY E. KRAMER  
President of the Senate

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RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and  
is known as Senate File 433, Seventy-seventh General Assembly.

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MARY PAT GUNDERSON  
Secretary of the Senate

Approved 4/30, 1997

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TERRY E. BRANSTAD  
Governor