

FILED FEB 2 1999

SENATE FILE 73  
BY JENSEN

Passed Senate, Date \_\_\_\_\_ Passed House, 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:

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SF 73 LOCAL GOVERNMENT

1 Section 1. Section 414.1, Code 1999, 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 1999,  
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 and in  
32 consultation with the capitol planning commission.

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

34 If regulations are adopted by the city of Des Moines  
35 pursuant to section 414.1 for the purpose of preserving the

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

5 EXPLANATION

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

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