

FEB 15 2006
LOCAL GOVERNMENT

HOUSE FILE 2384
BY EICHHORN

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

A BILL FOR

1 An Act allowing cities to conditionally zone unincorporated areas
2 to take effect upon annexation and including a retroactive
3 applicability provision.

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

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HF 2384

1 Section 1. NEW SECTION. 414.23A ZONING CONDITIONED UPON
2 ANNEXATION.

3 The powers granted by this chapter may be extended by
4 ordinance by a city to the unincorporated area beyond the
5 limits of such city and, except as provided in section 414.23,
6 the ordinance shall not become effective until the
7 unincorporated area is annexed into the city.

8 Sec. 2. RETROACTIVE APPLICABILITY. This Act is
9 retroactively applicable to ordinances adopted prior to July
10 1, 2006, that will become effective upon annexation, and is
11 applicable to ordinances adopted on and after that date.

12 EXPLANATION

13 Under this bill, a city may conditionally zone an
14 unincorporated area beyond the limits of the city that will
15 become effective when the area is annexed into the city. This
16 authority does not affect and is in addition to a city's power
17 to extend its jurisdiction under Code section 414.23 to an
18 unincorporated area within two miles of the limits of the
19 city. The bill applies both prospectively and retrospectively
20 to ordinances adopted prior to July 1, 2006, that will become
21 effective upon annexation.

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