

MAR 6 2006
Place On Calendar

HOUSE FILE 2653
BY COMMITTEE ON
LOCAL GOVERNMENT

(SUCCESSOR TO HF 2291)

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

A BILL FOR

1 An Act relating to comprehensive plans used by cities and
2 counties when developing zoning regulations and including an
3 applicability provision.

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

HF 2653

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1 Section 1. NEW SECTION. 335.5A COMPREHENSIVE PLAN.

2 1. A comprehensive plan is a compilation of policy
3 statements, statements of goals, standards, and maps for each
4 of the elements of the plan. A comprehensive plan may be used
5 to guide the physical, social, and economic development of a
6 county and its environs and to guide the future development of
7 public and private property. A comprehensive plan represents
8 the county's intent for future development of the county and
9 shall contain recommendations for plan execution. A
10 comprehensive plan may include, but is not limited to, the
11 following elements:

12 a. A land use element designating types of land uses in
13 the county. The element may be addressed by including one or
14 more of the following items:

15 (1) A listing of the amount, type, intensity, and net
16 density of existing uses of land in the county, such as
17 agricultural, residential, commercial, industrial, and other
18 public and private uses and proposed densities for
19 development.

20 (2) Trends in the supply, demand, and price of land in the
21 county.

22 (3) A listing of opportunities for redevelopment.

23 (4) A listing of existing and potential land use
24 conflicts.

25 (5) A future land use map.

26 (6) Designations of boundaries of areas reserved for
27 purposes of soil conservation, water supply conservation,
28 flood control, and surface water drainage and removal,
29 including appropriate policies protecting such areas against
30 encroachment by buildings, other physical structures, and
31 facilities.

32 b. A housing element addressing the provision of an
33 adequate housing supply that meets existing and forecasted
34 housing demand in the county. The element may be addressed by
35 including one or more of the following items:

1 (1) An assessment of the county's housing stock which may
2 include age, structural, value, and occupancy characteristics.

3 (2) Identification of specific policies and programs that
4 promote the development of housing for residents of the county
5 and a range of housing choices that meet the needs of persons
6 of all income levels.

7 (3) Identification of policies and programs that maintain
8 or rehabilitate the county's existing housing stock.

9 c. A utilities element to guide future development of
10 utilities such as sanitary sewer service, storm water
11 management, water supply, solid waste disposal, on-site
12 wastewater treatment technologies, recycling facilities,
13 telecommunications facilities, power generating plants, and
14 transmission lines. The element may be addressed by including
15 one or more of the following items:

16 (1) A description of the location, use, and capacity of
17 existing public utilities that serve the county and any city
18 in the county if such utility is located outside the city
19 served.

20 (2) An approximate timetable that forecasts the need in
21 the county to expand or rehabilitate existing utilities or to
22 create new utilities.

23 (3) An assessment of future needs for government services
24 in the county related to such utilities.

25 d. A community facilities element to guide future
26 development of community facilities in the county such as
27 recreational, educational, and cultural facilities;
28 cemeteries; health care facilities and child care facilities;
29 police, fire, and rescue facilities; and libraries, schools,
30 and other governmental facilities. The element may be
31 addressed by including one or more of the following items:

32 (1) A description of the location, use, and capacity of
33 existing community facilities that serve the county.

34 (2) An approximate timetable that forecasts the need in
35 the county to expand or rehabilitate existing facilities or to

1 create new facilities.

2 (3) An assessment of future needs for government services
3 in the county that are related to such facilities.

4 e. A transportation element addressing various modes of
5 transportation, such as streets, roads, highways, and
6 interstate highways, mass transit, railroads, air
7 transportation, trucking, and water transportation.

8 f. An agricultural, natural, historical, and cultural
9 resources element addressing the conservation and effective
10 management of natural resources such as groundwater, forests,
11 productive agricultural areas, environmentally sensitive
12 areas, threatened and endangered species, stream corridors,
13 surface water, floodplains, wetlands, wildlife habitat, open
14 spaces, parks, features of architectural or archaeological
15 interest, and other natural, historical, and cultural
16 resources.

17 2. It is intended that a comprehensive plan may encourage
18 a pattern of orderly development in areas of the county
19 identified for commercial, industrial, and residential
20 development; promote employment opportunities and the economic
21 health of the county; address a variety of housing choices
22 within the county, including affordable housing for future
23 population growth; identify and promote conservation of
24 natural resource areas, environmentally sensitive land, and
25 features of significant local, statewide, or regional
26 architectural, cultural, historical, or archaeological
27 interest; encourage preservation of land identified by the
28 county as prime agricultural land for use in agricultural
29 production; promote the efficient use of infrastructure and
30 the provision of adequate services concurrently with
31 development; and take into consideration such other matters
32 that are related to the coordinated, efficient, and orderly
33 development of the county.

34 Sec. 2. NEW SECTION. 414.3A COMPREHENSIVE PLAN.

35 1. A comprehensive plan is a compilation of policy

1 statements, statements of goals, standards, and maps for each
2 of the elements of the plan. A comprehensive plan may be used
3 to guide the physical, social, and economic development of a
4 city and its environs and to guide the future development of
5 public and private property. A comprehensive plan represents
6 the city's intent for future development of the city and shall
7 contain recommendations for plan execution. A comprehensive
8 plan may include, but is not limited to, the following
9 elements:

10 a. A land use element designating types of land uses in
11 the city. The element may be addressed by including one or
12 more of the following items:

13 (1) A listing of the amount, type, intensity, and net
14 density of existing uses of land in the city, such as
15 residential, commercial, industrial, and other public and
16 private uses and proposed densities for development.

17 (2) Trends in the supply, demand, and price of land in the
18 city.

19 (3) A listing of opportunities for redevelopment.

20 (4) A listing of existing and potential land use
21 conflicts.

22 (5) A future land use map.

23 (6) Designations of boundaries of areas reserved for
24 purposes of soil conservation, water supply conservation,
25 flood control, and surface water drainage and removal,
26 including appropriate policies protecting such areas against
27 encroachment by buildings, other physical structures, and
28 facilities.

29 b. A housing element addressing the provision of an
30 adequate housing supply that meets existing and forecasted
31 housing demand in the city. The element may be addressed by
32 including one or more of the following items:

33 (1) An assessment of the city's housing stock which may
34 include age, structural, value, and occupancy characteristics.

35 (2) Identification of specific policies and programs that

1 promote the development of housing for residents of the city
2 and a range of housing choices that meet the needs of persons
3 of all income levels.

4 (3) Identification of policies and programs that maintain
5 or rehabilitate the city's existing housing stock.

6 c. A utilities element to guide future development of
7 utilities such as sanitary sewer service, storm water
8 management, water supply, solid waste disposal, on-site
9 wastewater treatment technologies, recycling facilities,
10 telecommunications facilities, power generating plants, and
11 transmission lines. The element may be addressed by including
12 one or more of the following items:

13 (1) A description of the location, use, and capacity of
14 existing public utilities that serve the city.

15 (2) An approximate timetable that forecasts the need in
16 the city to expand or rehabilitate existing utilities or to
17 create new utilities.

18 (3) An assessment of future needs for government services
19 in the city related to such utilities.

20 d. A community facilities element to guide future
21 development of community facilities in the city such as
22 recreational, educational, and cultural facilities;
23 cemeteries; health care facilities and child care facilities;
24 police, fire, and rescue facilities; and libraries, schools,
25 and other governmental facilities. The element may be
26 addressed by including one or more of the following items:

27 (1) A description of the location, use, and capacity of
28 existing community facilities that serve the city.

29 (2) An approximate timetable that forecasts the need in
30 the city to expand or rehabilitate existing facilities or to
31 create new facilities.

32 (3) An assessment of future needs for government services
33 in the city that are related to such facilities.

34 e. A transportation element addressing various modes of
35 transportation, such as streets, roads, highways, and

1 interstate highways, mass transit, railroads, air
2 transportation, trucking, and water transportation.

3 f. A natural, historical, and cultural resources element
4 addressing open spaces, parks, features of architectural and
5 archaeological interest, and other natural, historical, and
6 cultural resources.

7 2. It is intended that a comprehensive plan may encourage
8 a pattern of orderly development in areas of the city
9 identified for commercial, industrial, and residential
10 development; promote employment opportunities and the economic
11 health of the city; address a variety of housing choices
12 within the city, including affordable housing for future
13 population growth; identify and promote conservation of
14 natural resource areas, environmentally sensitive land, and
15 features of significant local, statewide, or regional
16 architectural, cultural, historical, or archaeological
17 interest; promote the efficient use of infrastructure and the
18 provision of adequate services concurrently with development;
19 and take into consideration such other matters that are
20 related to the coordinated, efficient, and orderly development
21 of the city.

22 Sec. 3. APPLICABILITY DATE. This Act applies to
23 comprehensive plans first developed, or existing comprehensive
24 plans amended, on or after July 1, 2006.

25 EXPLANATION

26 This bill defines "comprehensive plan" for purposes of
27 county and city zoning and describes elements that may be
28 included in a comprehensive plan.

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