

House File 268 - Introduced

HOUSE FILE 268
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO HF 11)

A BILL FOR

1 An Act eliminating the Iowa smart planning principles and other
2 local comprehensive planning and development guidelines.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 16.194A, subsection 2, Code 2013, is
2 amended to read as follows:

3 2. A city or county in this state ~~that applies the smart~~
4 ~~planning principles and guidelines pursuant to sections~~
5 ~~18B.1 and 18B.2~~ may submit an application to the Iowa jobs
6 board for financial assistance for a local infrastructure
7 competitive grant for an eligible project under the program,
8 notwithstanding any limitation on the state's percentage in
9 funding as contained in section 29C.6, subsection 17.

10 Sec. 2. Section 28I.4, subsection 1, Code 2013, is amended
11 to read as follows:

12 1. The commission shall have the power and duty to make
13 comprehensive studies and plans for the development of the
14 area it serves which will guide the unified development of
15 the area and which will eliminate planning duplication and
16 promote economy and efficiency in the coordinated development
17 of the area and the general welfare, convenience, safety, and
18 prosperity of its people. The plan or plans collectively
19 shall be known as the regional or metropolitan development
20 plan. The plans for the development of the area may include
21 but shall not be limited to recommendations with respect to
22 existing and proposed highways, bridges, airports, streets,
23 parks and recreational areas, schools and public institutions
24 and public utilities, public open spaces, and sites for public
25 buildings and structures; districts for residence, business,
26 industry, recreation, agriculture, and forestry; water supply,
27 sanitation, drainage, protection against floods and other
28 disasters; areas for housing developments, slum clearance
29 and urban renewal and redevelopment; location of private
30 and public utilities, including but not limited to sewerage
31 and water supply systems; and such other recommendations
32 concerning current and impending problems as may affect the
33 area served by the commission. Time and priority schedules and
34 cost estimates for the accomplishment of the recommendations
35 may also be included in the plans. ~~The plans shall be made~~

1 ~~with consideration of the smart planning principles under~~
2 ~~section 18B.1.~~ The plans shall be based upon and include
3 appropriate studies of the location and extent of present
4 and anticipated populations; social, physical, and economic
5 resources, problems and trends; and governmental conditions and
6 trends. The commission is also authorized to make surveys,
7 land-use studies, and urban renewal plans, provide technical
8 services and other planning work for the area it serves and
9 for cities, counties, and other political subdivisions in the
10 area. A plan or plans of the commission may be adopted, added
11 to, and changed from time to time by a majority vote of the
12 planning commission. The plan or plans may in whole or in part
13 be adopted by the governing bodies of the cooperating cities
14 and counties as the general plans of such cities and counties.
15 The commission may also assist the governing bodies and other
16 public authorities or agencies within the area it serves
17 in carrying out any regional plan or plans, and assist any
18 planning commission, board or agency of the cities and counties
19 and political subdivisions in the preparation or effectuation
20 of local plans and planning consistent with the program of the
21 commission. The commission may cooperate and confer, as far as
22 possible, with planning agencies of other states or of regional
23 groups of states adjoining its area.

24 Sec. 3. Section 329.3, Code 2013, is amended to read as
25 follows:

26 **329.3 Zoning regulations — powers granted.**

27 Every municipality having an airport hazard area within
28 its territorial limits may adopt, administer, and enforce
29 in the manner and upon the conditions prescribed by this
30 chapter, zoning regulations for such airport hazard area,
31 which regulations may divide such area into zones and, within
32 such zones, specify the land uses permitted, and regulate
33 and restrict, for the purpose of preventing airport hazards,
34 the height to which structures and trees may be erected or
35 permitted to grow. ~~Regulations adopted under this chapter~~

1 ~~shall be made with consideration of the smart planning~~
2 ~~principles under section 18B.1.~~

3 Sec. 4. Section 335.5, subsection 3, Code 2013, is amended
4 by striking the subsection.

5 Sec. 5. Section 414.3, subsection 3, Code 2013, is amended
6 by striking the subsection.

7 Sec. 6. REPEAL. Chapter 18B, Code 2013, is repealed.

8

EXPLANATION

9 Current Code section 18B.1 enumerates the Iowa smart
10 planning principles. The Iowa smart planning principles are 10
11 principles that state agencies, local governments, and other
12 public entities are required to consider and may apply during
13 deliberation of all appropriate planning, zoning, development,
14 and resource management decisions. Code section 18B.2 requires
15 a city or county, when developing or amending a comprehensive
16 plan under Code chapter 335 or 414 or when developing or
17 amending other local land development regulations, to consider
18 the smart planning principles under Code section 18B.1 and
19 authorizes such city or county to include specified additional
20 types of objective or program information concerning the action
21 being taken by the city or county. This bill repeals Code
22 sections 18B.1 and 18B.2 and makes corresponding changes to
23 other provisions of the Code.