

House Study Bill 239 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act relating to the county zoning exemption for property
2 used for agricultural purposes.

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

1 Section 1. Section 335.2, Code 2019, is amended to read as
2 follows:

3 **335.2 Farms exempt.**

4 1. Except to the extent required to implement section
5 335.27, no ordinance adopted under **this chapter** applies to
6 land, farm houses, farm barns, farm outbuildings or other
7 buildings or structures which are primarily adapted, by reason
8 of nature and area, for use for agricultural purposes, while
9 so used. However, the ordinances may apply to any structure,
10 building, dam, obstruction, deposit or excavation in or on the
11 flood plains of any river or stream.

12 2. For purposes of this section, a property is used for
13 agricultural purposes if at least fifty-one percent of the
14 annual gross revenue derived from the property comes from the
15 growing, harvesting, or selling of crops and livestock raised
16 and produced on the property or brought to the property and
17 not more than forty-nine percent of the annual gross revenue
18 derived from the property comes from the sale of agricultural
19 experiences and other farm-related activities.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill relates to the exemption to county zoning
24 regulations for property that is used for agriculture purposes.
25 The bill provides that property is used for agricultural
26 purposes if at least 51 percent of the annual gross revenue
27 derived from the property comes from the growing, harvesting,
28 or selling of crops and livestock raised and produced on the
29 property or brought to the property and not more than 49
30 percent of the annual gross revenue derived from the property
31 comes from the sale of agricultural experiences and other
32 farm-related activities.