

House File 2062 - Introduced

HOUSE FILE 2062
BY LAWLER

A BILL FOR

- 1 An Act relating to the ability of property owners to protest
- 2 proposed changes in zoning districts.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 657.9, subsection 1, Code 2026, is amended
2 to read as follows:

3 1. Before a person improves property acquired to establish,
4 use, and maintain a shooting range by the erection of buildings,
5 breastworks, ramparts, or other works or before a person
6 substantially changes the existing use of a shooting range, the
7 person shall obtain approval of the county zoning commission
8 or the city zoning commission, whichever is appropriate. The
9 appropriate commission shall comply with section 335.8 or 414.6.
10 In the event a county ~~or city~~ does not have a zoning commission,
11 the county board of supervisors ~~or the city council~~ shall comply
12 with section 335.6 ~~or 414.5~~ before granting the approval.

13 Sec. 2. REPEAL. Section 414.5, Code 2026, is repealed.

14 EXPLANATION

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

17 This bill repeals the ability of property owners to submit
18 a written protest to challenge a proposed change in a zoning
19 district.

20 Under Code section 414.5, as a part of an ordinance changing
21 land from one zoning district to another zoning district or an
22 ordinance approving a site development plan, a city council may
23 impose conditions on a property owner in addition to existing
24 regulations if the additional conditions have been agreed to in
25 writing by the property owner before the public hearing required
26 or adjournment of the hearing. The conditions must be reasonable
27 and imposed to satisfy public needs that are directly caused by
28 the requested change. If, however, a written protest against
29 a change or repeal is filed with the city clerk and is signed
30 by the owners of 20 percent or more of the area of the lots
31 included in the proposed change or repeal, or by the owners of 20
32 percent or more of the property that is located within 200 feet
33 of the exterior boundaries of the property for which the change
34 or repeal is proposed, the change or repeal shall not become
35 effective except by the favorable vote of at least three-fourths

1 of all the members of the council. The protest, if filed, must
2 be filed before or at the public hearing. The bill repeals Code
3 section 414.5.

4 Current law requires a person to obtain approval from the city
5 zoning commission before substantially changing the existing use
6 of a shooting range or improving property that was acquired to
7 maintain a shooting range within the city. In the event the
8 city does not have a zoning commission, the city council shall
9 comply with Code section 414.5 before granting approval. Due
10 to the repeal of Code section 414.5, the bill eliminates the
11 requirement that a city council comply with Code section 414.5
12 before approval.

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