

House File 2148 - Introduced

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BY FISHER

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:

unofficial

1 Section 1. Section 16.194A, subsection 2, Code 2026, 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 18B.1~~
5 ~~and 18B.2~~ may submit an application to the authority for
6 financial assistance for a local infrastructure competitive grant
7 for an eligible project under the program, notwithstanding any
8 limitation on the state's percentage in funding as contained in
9 section 29C.6, subsection 17.

10 Sec. 2. Section 28I.4, subsection 1, Code 2026, is amended to
11 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 area
14 it serves which will guide the unified development of the area
15 and which will eliminate planning duplication and promote economy
16 and efficiency in the coordinated development of the area and
17 the general welfare, convenience, safety, and prosperity of its
18 people. The plan or plans collectively shall be known as the
19 regional or metropolitan development plan. The plans for the
20 development of the area may include but shall not be limited to
21 recommendations with respect to existing and proposed highways,
22 bridges, airports, streets, parks and recreational areas, schools
23 and public institutions and public utilities, public open
24 spaces, and sites for public buildings and structures; districts
25 for residence, business, industry, recreation, agriculture, and
26 forestry; water supply, sanitation, drainage, protection against
27 floods and other disasters; areas for housing developments,
28 slum clearance and urban renewal and redevelopment; location
29 of private and public utilities, including but not limited to
30 sewerage and water supply systems; and such other recommendations
31 concerning current and impending problems as may affect the
32 area served by the commission. Time and priority schedules
33 and cost estimates for the accomplishment of the recommendations
34 may also be included in the plans. ~~The plans shall be made~~
35 ~~with consideration of the smart planning principles under section~~

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

22 Sec. 3. Section 329.3, Code 2026, is amended to read as
 23 follows:

24 **329.3 Zoning regulations — powers granted.**

25 Every municipality having an airport hazard area within its
 26 territorial limits may adopt, administer, and enforce in the
 27 manner and upon the conditions prescribed by this chapter, zoning
 28 regulations for such airport hazard area, which regulations may
 29 divide such area into zones and, within such zones, specify the
 30 land uses permitted, and regulate and restrict, for the purpose
 31 of preventing airport hazards, the height to which structures and
 32 trees may be erected or permitted to grow. ~~Regulations adopted~~
 33 ~~under this chapter shall be made with consideration of the smart~~
 34 ~~planning principles under section 18B.1.~~

35 Sec. 4. Section 335.5, subsection 3, Code 2026, is amended by

1 striking the subsection.

2 Sec. 5. Section 414.3, subsection 3, Code 2026, is amended by
3 striking the subsection.

4 Sec. 6. REPEAL. Chapter 18B, Code 2026, is repealed.

5 EXPLANATION

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

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