

Senate File 2442 - Introduced

SENATE FILE 2442

BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 3152)

A BILL FOR

1 An Act relating to county zoning ordinances governing residential
2 buildings.

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

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1 Section 1. Section 335.3, subsection 1, Code 2026, is amended
2 to read as follows:

3 1. a. Subject to section 335.2 and paragraph "b", the board
4 of supervisors may by ordinance regulate and restrict the height,
5 number of structures, and size of buildings and other structures,
6 the percentage of lot that may be occupied, the size of yards,
7 courts, and other open spaces, the density of population, and
8 the location and use of buildings, structures, and land for
9 trade, industry, residence, or other purposes, and may regulate,
10 restrict, and prohibit the use for residential purposes of
11 tents, trailers, and portable or potentially portable structures.
12 However, such powers shall be exercised only with reference to
13 land and structures located within the county but lying outside
14 of the corporate limits of any city.

15 b. (1) The board of supervisors shall not restrict the
16 construction or development of residential buildings. The board
17 of supervisors may by ordinance regulate residential buildings
18 to the extent necessary for the safety of life or property, but
19 shall not otherwise impose any regulations related to residential
20 buildings that has the effect of restricting the construction or
21 development of residential buildings.

22 (2) For purposes of this paragraph, "residential building"
23 means the same as defined in section 414.1, subsection 1,
24 paragraph "h", subparagraph (2).

25 EXPLANATION

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

28 This bill relates to county zoning ordinances that govern
29 residential buildings.

30 Under current law, a county board of supervisors may by
31 ordinance regulate and restrict the height, number of structures,
32 and size of buildings and other structures, the percentage of lot
33 that may be occupied, the size of yards, courts, and other open
34 spaces, the density of population, and the location and use of
35 buildings, structures, and land for trade, industry, residence,

1 or other purposes, and may regulate, restrict, and prohibit the
2 use for residential purposes of tents, trailers, and portable or
3 potentially portable structures. This authority is limited to
4 land and structures in the unincorporated area of the county.

5 The bill provides that a county board of supervisors
6 cannot restrict the construction or development of residential
7 buildings, and that any regulation of residential buildings must
8 be necessary for the safety of life or property. "Residential
9 property", for purposes of the bill, means any single or
10 multifamily residential dwelling and includes single-family and
11 two-family dwellings and townhouses, condominiums and apartments
12 with a maximum of 12 units per building, and all secondary
13 structures to such a single or multifamily residential dwelling.

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