

Senate Study Bill 1108 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON WEBSTER)

A BILL FOR

1 An Act relating to county and city landscaping regulation in
2 commercial zones.

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

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1 Section 1. NEW SECTION. **335.29 Landscape regulation in**
2 **commercial zones.**

3 1. A county shall not adopt or enforce an ordinance,
4 motion, resolution, or amendment that establishes a standard for
5 landscape design including the products, materials, or aesthetic
6 methods that must be used in areas zoned for commercial use.

7 2. This section does not prohibit or diminish the rights
8 of private parties to enact regulations regarding landscape
9 design standards as created by valid private covenants or
10 other contractual agreements among property owners of commercial
11 buildings including but not limited to restrictive covenants, or
12 as otherwise permitted under Iowa law.

13 Sec. 2. NEW SECTION. **364.10 Landscape regulation in**
14 **commercial zones.**

15 1. A city shall not adopt or enforce an ordinance, motion,
16 resolution, or amendment that establishes a standard for
17 landscape design including the products, materials, or aesthetic
18 methods that must be used in areas zoned for commercial use.

19 2. This section does not prohibit or diminish the rights
20 of private parties to enact regulations regarding landscape
21 design standards as created by valid private covenants or
22 other contractual agreements among property owners of commercial
23 buildings including but not limited to restrictive covenants, or
24 as otherwise permitted under Iowa law.

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 prohibits a county or city from adopting or
29 enforcing an ordinance, motion, resolution, or amendment to
30 establish a standard for landscape design including the products,
31 materials, or aesthetic methods that must be used in areas
32 zoned for commercial use. The bill does not prohibit or
33 diminish the rights of private parties to enact regulations
34 regarding landscape design standards as created by valid private
35 covenants or other contractual agreements among property owners

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1 of commercial buildings including but not limited to restrictive
2 covenants, or as otherwise permitted under Iowa law.

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