

**Senate Study Bill 3152 - Introduced**

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

**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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