

**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  
2 residential buildings.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

3 1. a. Subject to section 335.2 and paragraph "b", the  
4 board of supervisors may by ordinance regulate and restrict the  
5 height, number of structures, and size of buildings and other  
6 structures, the percentage of lot that may be occupied, the  
7 size of yards, courts, and other open spaces, the density of  
8 population, and the location and use of buildings, structures,  
9 and land for trade, industry, residence, or other purposes, and  
10 may regulate, restrict, and prohibit the use for residential  
11 purposes of tents, trailers, and portable or potentially  
12 portable structures. However, such powers shall be exercised  
13 only with reference to land and structures located within the  
14 county but lying outside 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  
17 board of supervisors may by ordinance regulate residential  
18 buildings to the extent necessary for the safety of life or  
19 property, but shall not otherwise impose any regulations  
20 related to residential buildings that has the effect of  
21 restricting the construction or development of residential  
22 buildings.

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

26 EXPLANATION

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

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

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

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

7 The bill provides that a county board of supervisors cannot  
8 restrict the construction or development of residential  
9 buildings, and that any regulation of residential buildings  
10 must be necessary for the safety of life or property.

11 "Residential property", for purposes of the bill, means  
12 any single or multifamily residential dwelling and includes  
13 single-family and two-family dwellings and townhouses,  
14 condominiums and apartments with a maximum of 12 units per  
15 building, and all secondary structures to such a single or  
16 multifamily residential dwelling.