SENATE FILE 2285
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SF 2096)

(As Amended and Passed by the Senate February 22, 2022)

[= New Language by the Senate

A BILL FOR

An Act relating to requirements for additional members of a city planning and zoning commission and a board of adjustment when a city extends its zoning jurisdiction.

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

Section 1. Section 414.23, subsections 2 and 3, Code 2022, are amended to read as follows:

2. A municipality, during the time its zoning jurisdiction is extended under this section, shall increase the size of its planning and zoning commission and its board of adjustment each by two members. The planning and zoning commission shall include a member of the board of supervisors of the affected county, or the board's designee, and a resident of the area outside the city limits over which the zoning jurisdiction is extended. The member of the board of supervisors or the board's designee, if any, shall also be a resident of the ~~county in which such extended~~ area ~~is located~~ outside the city limits over which the zoning jurisdiction is extended. The additional members of the board of adjustment shall be residents of the area outside the city limits over which the zoning jurisdiction is extended. At least one of the additional members of the planning and zoning commission and at least one of the additional members of the board of adjustment shall own land that is actively used for an agricultural purpose as defined in section 570A.1. The county supervisor, or the board's designee, and the residents shall be appointed by the board of supervisors of the county in which such extended area is located. The county supervisor, or the board's designee, and the residents shall serve for the same terms of office and have the same rights, privileges, and duties as other members of each of the bodies. However, if the extended zoning jurisdiction of a municipality extends into an adjacent county without a county zoning ordinance, the boards of supervisors of the affected counties, jointly, shall appoint one of their members, or a designee, to the planning and zoning commission.

3. Property owners affected by ~~such~~ zoning regulations pursuant to this section shall have the same rights of hearing, protest, and appeal as those property owners residing within the municipality exercising this power. A city may request, but

shall not require, from a property owner affected by zoning regulations pursuant to this section the consent to annexation under chapter 368 as a condition of receiving approval for a zoning classification, special or conditional use, variance, permit, or division of land into two or more tracts.