

CHAPTER 1158

CITY ZONING — DISTRICT REGULATION, VARIANCE REVIEW, AND CONDITIONS AND STANDARDS FOR APPROVAL

S.F. 2378

AN ACT relating to the ability of property owners to protest proposed changes in zoning districts.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 414.4, Code 2026, is amended to read as follows:

414.4 Zoning regulations, district boundaries, amendments.

1. The council of the city shall provide for the manner in which the regulations and restrictions and the boundaries of the districts shall be determined, established, and enforced, and from time to time amended, supplemented, ~~or changed, modified, or repealed~~. However, the regulation, restriction, or boundary shall not become effective until after a public hearing at which parties in interest and citizens shall have an opportunity to be heard. The notice of the time and place of the hearing shall be published as provided in section 362.3.

2. Notwithstanding section 414.2, as part of an ordinance changing land from one zoning district to another zoning district or an ordinance approving a site development plan, a council may impose conditions on a property owner that are in addition to existing regulations if the additional conditions have been agreed to in writing by the property owner before the public hearing required under this section or adjournment of the hearing. The conditions must be reasonable and imposed to satisfy public needs that are directly caused by the requested change.

Sec. 2. Section 414.7, subsection 2, Code 2026, is amended to read as follows:

2. The council may provide for review of variances granted by the board of adjustment by the council before the effective date of the variances. Any individual affected by the variance may appeal the decision of the board of adjustment to the city council within sixty days and the effective date of the variance shall be stayed until after the council has reviewed the appeal. The council may remand a decision to grant a variance to the board of adjustment for further study. The effective date of the variance is delayed for thirty days from the date of the remand. The city council may also overturn the decision of the board of adjustment by a vote of at least two-thirds of all members of the council, regardless of whether an appeal has been brought.

Sec. 3. Section 657.9, subsection 1, Code 2026, is amended to read as follows:

1. Before a person improves property acquired to establish, use, and maintain a shooting range by the erection of buildings, breastworks, ramparts, or other works or before a person substantially changes the existing use of a shooting range, the person shall obtain approval of the county zoning commission or the city zoning commission, whichever is appropriate. The appropriate commission shall comply with section 335.8 or 414.6. In the event a county ~~or city~~ does not have a zoning commission, the county board of supervisors ~~or the city council~~ shall comply with section 335.6 ~~or 414.5~~ before granting the approval.

Sec. 4. REPEAL. Section 414.5, Code 2026, is repealed.

Approved June 2, 2026