

Miller
McKibben
Hansen

SSB-1238
Local Government

Succeeded By
SENATE FILE (SF/HF 469)
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON MILLER)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to comprehensive zoning plans and prohibitions on
2 certain annexation and development actions by counties and
3 cities.

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

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1 Section 1. NEW SECTION. 6C.1 STATE AND LOCAL FINANCIAL
2 ASSISTANCE PROHIBITED.

3 Effective for the fiscal year beginning July 1, 2003, and
4 for all subsequent fiscal years, financial assistance programs
5 authorized by state statute or local ordinance that are
6 related to infrastructure, economic development, or community
7 development, betterment, or expansion shall be unavailable in
8 those counties and cities that have not adopted a
9 comprehensive plan pursuant to section 335.5 or 414.3, as
10 applicable. If a county or city has adopted a comprehensive
11 plan, such financial assistance shall not be available if the
12 project is not consistent with the use contemplated by the
13 comprehensive plan for the area.

14 Sec. 2. NEW SECTION. 6C.2 PROHIBITION ON ANNEXATION AND
15 OTHER DEVELOPMENT ACTIONS.

16 1. Beginning January 1, 2004, if an annexation application
17 or petition filed pursuant to section 368.7 or 368.11 seeks to
18 annex territory and the acquisition of such territory is not
19 contemplated in the comprehensive plan of the city, the
20 annexation application or petition shall be dismissed by the
21 city council or the city development board, as appropriate.

22 2. Beginning January 1, 2004, a county shall not issue any
23 permits, authorizations, or approvals necessary for the
24 subdivision and partitioning of, or construction on, any land
25 located in the unincorporated areas of the county if such
26 development actions are not contemplated by the comprehensive
27 plan of the county. This subsection does not apply to
28 reconstruction or rehabilitation of existing buildings or
29 structures and new construction, reconstruction, or
30 rehabilitation of agricultural buildings.

31 Sec. 3. Section 368.7, Code 2001, is amended by adding the
32 following new subsection:

33 NEW SUBSECTION. 5. An annexation application shall be
34 dismissed if such application is prohibited pursuant to
35 section 6C.2.

1 Sec. 4. Section 368.11, Code 2001, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. An annexation petition shall be
4 dismissed if such petition is prohibited pursuant to section
5 6C.2.

6 EXPLANATION

7 This bill provides that state or local financial assistance
8 related to infrastructure, economic development, or community
9 development, betterment, or expansion shall not be allowed in
10 those counties and cities that have not adopted a
11 comprehensive zoning plan. If a county or city has adopted a
12 comprehensive zoning plan, such assistance shall not be
13 available if the project in question is not consistent with
14 the use for the area contemplated by the comprehensive plan.
15 This portion of the bill applies to fiscal years beginning
16 July 1, 2003, and all subsequent fiscal years.

17 The bill also provides that voluntary and involuntary
18 annexations are prohibited if acquisition of the territory to
19 be annexed is not contemplated in the comprehensive plan of
20 the annexing city. The bill prohibits a county from issuing
21 any permits or other development authorizations if the
22 development actions are not contemplated in the comprehensive
23 plan of the county. This portion of the bill is effective
24 January 1, 2004.

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4/5/01 Rereferred To: Local Gov.

FILED MAR 15 '01

SENATE FILE 469
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO SSB 1238)

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SF 469

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