

CHAPTER 335 COUNTY ZONING

Referred to in § 329.7, 331.304, 331.321, 354.1, 427B.2, 455B.305, 455B.415, 455B.448, 476A.5

335.1 Where applicable.

The provisions of this chapter shall be applicable to any county of the state at the option of the board of supervisors of any such county.

Section History: Early form

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 358A.1]

Section History: Recent form

C93, § 335.1

Internal References

Referred to in § 335.25

335.2 Farms exempt.

Except to the extent required to implement section 335.27, no ordinance adopted under this chapter applies to land, farm houses, farm barns, farm outbuildings or other buildings or structures which are primarily adapted, by reason of nature and area, for use for agricultural purposes, while so used. However, the ordinances may apply to any structure, building, dam, obstruction, deposit or excavation in or on the flood plains of any river or stream.

Section History: Early form

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 358A.2; 81 Acts, ch 117, § 1070; 82 Acts, ch 1245, § 16]

Section History: Recent form

C93, § 335.2

Internal References

Referred to in § 335.3, 414.23

335.3 Powers.

Subject to section 335.2, the board of supervisors may by ordinance regulate and restrict the height, number of structures, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes, and may regulate, restrict, and prohibit the use for residential purposes of tents, trailers, and portable or potentially portable structures. However, such powers shall be exercised only with reference to land and structures located within the county but lying outside of the corporate limits of any city.

Section History: Early form

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 358A.3; 81 Acts, ch 117, § 1071]

Section History: Recent form

C93, § 335.3

335.4 Areas and districts.

For any and all of said purposes the board of supervisors may divide the county, or any area or areas within the county, into districts of such number, shape, and area as may be deemed best suited to carry out the purposes of this chapter; and within such districts it may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, structures or land. All such regulations and restrictions shall be uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts.

Section History: Early form

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 358A.4]

Section History: Recent form

C93, § 335.4

Internal References

Referred to in § 335.7

335.5 Objectives.

The regulations shall be made in accordance with a comprehensive plan and designed to preserve the availability of agricultural land; to consider the protection of soil from wind and water erosion; to encourage efficient urban development patterns; to lessen congestion in the street or highway; to secure safety from fire, flood, panic, and other dangers; to protect health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to promote the conservation of energy resources; to promote reasonable access to solar energy; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. However, provisions of this section relating to the objectives of energy conservation and

access to solar energy shall not be construed as voiding any zoning regulation existing on July 1, 1981, or to require zoning in a county that did not have zoning prior to July 1, 1981.

Such regulations shall be made with reasonable consideration, among other things, as to the character of the area of the district and the peculiar suitability of such area for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such county.

Section History: Early form

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, § 358A.5; 81 Acts, ch 125, § 1; 82 Acts, ch 1245, § 17]

Section History: Recent form

C93, § 335.5

335.24 Conflict with other regulations.

If the regulations made under this chapter require a greater width or size of yards, courts or other open spaces, or require a lower height of building or less number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in any other statute or local ordinance or regulation, the regulations made under this chapter govern. If any other statute or local ordinance or regulation requires a greater width or size of yards, courts or other open spaces, or requires a lower height of building or a less number of stories, or a greater percentage of lot to be left unoccupied, or imposes other higher standards than are required by the regulations made under this chapter, the other statute or local ordinance or regulation governs. If a regulation proposed or made under this chapter relates to any structure, building, dam, obstruction, deposit or excavation in or on the flood plains of any river or stream, prior approval of the department of water, air and waste management is required to establish, amend, supplement, change, or modify the regulation or to grant any variation or exception from the regulation.

Section History: Early form

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 358A.24; 82 Acts, ch 1199, § 67, 96]

Section History: Recent form

C93, § 335.24

335.27 Agricultural land preservation ordinance.

If a county adopts an agricultural land preservation ordinance under this chapter which subjects farmland to the same use restrictions provided in section 352.6 for agricultural areas, section 6B.3, subsection 6, and sections 352.10 to 352.12 shall apply to farms and farm operations which are subject to the agricultural land preservation ordinance.

Section History: Early form

[82 Acts, ch 1245, § 15, 20]

Section History: Recent form

C83, § 358A.27

C93, § 335.27

Internal References

Referred to in § 335.2, 352.6