Counties that contain or adjoin major urban areas find that they need to direct and control development that occurs on the urban fringe. Less populated counties also have concerns. Generally, their primary land use goal is to protect prime agricultural land. This is a top priority interest because of the high quality and productivity of much of Iowa’s farmland. Just as it is necessary to protect the quality of prime agricultural land through the control of erosion, it is also necessary to protect the quantity of prime agricultural land through the control of development.

The primary tool that counties have to deal with all of these issues is zoning. Chapter 335 of the Iowa Code delegates zoning authority to counties. This power, together with the authority that is possessed by all Iowa counties because of their home rule status, gives counties broad discretion in directing development and controlling future growth.

Within this framework, counties are free to choose whether or not to have zoning. Counties that adopt zoning have the freedom needed to structure their local zoning ordinances in the most suitable way to meet individual local needs.

Through their comprehensive plans and their zoning ordinances, counties can control development so that schools, roads, health facilities, and utilities keep pace with the needs of the population.

This publication is a resource for Iowa county officials and interested citizens. The text is arranged so that the entire law, as enacted by the Iowa Legislature, is presented in the center columns. A discussion of each section of the law appears in the outside columns, directly opposite the section being explained.
Iowa Code Chapter 335

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.

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.

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.

335.4 Areas and districts. For any and all of said purposes the board of supervisors may divide 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.

Explanation

335.1 The law provides that any county in Iowa may adopt zoning, but does not require that it do so. This decision is left to the discretion of the individual counties.

335.2 Farm lands and buildings are specifically exempt from most provisions of county zoning regulations. Exceptions include the restrictions placed on farms if the county adopts an agricultural land preservation ordinance (see explanation of section 335.27) and restrictions placed on land uses within flood plains. Beyond these two exceptions, no provision of county zoning can be applied to any active farming operation.

335.3 If a county decides to adopt zoning, the board of supervisors may exercise any or all of the powers that follow. These powers are applicable only in areas outside the limits of cities and towns. Unincorporated villages are subject to county zoning regulations. The board of supervisors may regulate or restrict:
1. The height, number, and size of structures or buildings to be placed on a lot.
2. The percent of a lot that may be occupied by buildings.
3. The size of yards, courts, and other open spaces (width of side yard, depth of front or rear yards).
4. The density of population. This is accomplished by regulating the minimum size of lots.
5. The location and use of buildings, structures, and land for purposes of trade, industry, residences, or other purposes.
6. Tents, trailers, or portable structures for residential purposes. This does not apply in any way to agricultural land or buildings.

335.4 Zoning districts of any size, shape, or number may be established within the county. Such districts fall into three general categories: residential, commercial, and industrial. Within each district, the construction, reconstruction, repair, and use of buildings, and the use of land may be governed by written regulation. The written regulations must apply equally throughout each district, but the regulations for each type of district may differ from those in another type of district. This means that residential district regulations must apply equally to all residential districts in the county, but the regulations for residential districts may differ from commercial district regulations that apply equally to all commercial districts. The entire county or any part of the county may be divided into zoning districts.
**Iowa Code Chapter 335**

**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 in 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.

**335.6 Public hearings.** The board of supervisors shall provide for the manner in which such regulations and restrictions and the boundaries of such districts shall be determined, established, and enforced, and from time to time amended, supplemented, or changed. However, no such regulation, restriction, or boundary shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen days’ notice of the time and place of such hearing shall be published in a paper of general circulation in such county. Such notice shall state the location of the district affected by naming the township and section, and the boundaries of such district shall be expressed in terms of streets or roads wherever possible.
335.7 Changes in the location of district boundaries or in the written regulations may be made from time to time. The responsibility for making such changes is vested in the board of supervisors. If the owners of 20 percent of the land in the area to be rezoned oppose the change, or if the owners of 20 percent of the land within 500 feet of the boundary of the proposed change oppose the change, a favorable vote of at least 60 percent of all the members of the board of supervisors is required before the change can be made effective. Any changes in the boundaries of districts or in the written text of the zoning ordinance must be preceded by a public hearing in the manner prescribed by 335.6.

335.8 Although the power to adopt county zoning is vested in the board of supervisors, the board can adopt only those zoning ordinances prepared by a zoning commission. The zoning commission is appointed by the board of supervisors and may have an unlimited membership. The zoning commission usually has five to nine members, with seven being a frequent number. The majority of the members must reside in unincorporated areas of the county. The commission is charged with the responsibility of preparing the ordinance and recommending the boundaries and location of various districts. The commission must hold a public hearing on the proposed ordinance before submitting a final draft to the board of supervisors, who must also hold a public hearing before the ordinance may be approved.

It is suggested that the members of the commission be appointed for five-year terms and that the appointments be staggered so that all the terms do not expire the same year. After the ordinance has been adopted, the commission should recommend to the board of supervisors any amendments, supplements, or changes to the ordinance. If the board of supervisors approves, the zoning commission may contract with an outside expert or organization to assist with any work of the commission.

335.9 The board of supervisors is required to appoint a zoning administrator to enforce the zoning ordinance. The appointee may be a person already employed by the county or any other governmental subdivision in the county, such as a city or township. The board is authorized to determine how much salary, if any, is to be established for this service. The zoning administrator usually is charged with the

335.7 Changes and amendments. Such regulations, restrictions, and boundaries may, from time to time, be amended, supplemented, changed, modified, or repealed. In case, however, of a protest against such change signed by the owners of twenty percent or more either of the area included in such proposed change, or of the area immediately adjacent thereto and within five hundred feet of the boundaries thereof, such amendment shall not become effective except by the favorable vote of at least sixty percent of all of the members of the board of supervisors. The provisions of section 335.6 relative to public hearings and official notice shall apply equally to all changes or amendments.

335.8 Commission appointed. In order to avail itself of the powers conferred by this chapter, the board of supervisors shall appoint a commission, a majority of whose members shall reside within the county but outside the corporate limits of any city, to be known as the county zoning commission, to recommend the boundaries of the various original districts, and appropriate regulations and restrictions to be enforced therein. Such commission shall, with due diligence, prepare a preliminary report and hold public hearings thereon before submitting its final report; and the board of supervisors shall not hold its public hearings or take action until it has received the final report of such commission. After the adoption of such regulations, restrictions, and boundaries of districts, the zoning commission may, from time to time, recommend to the board of supervisors amendments, supplements, changes, or modifications. The zoning commission, with the approval of the board of supervisors, may contract with professional consultants, regional planning commissions, the Iowa development commission, or the federal government, for local planning assistance.

335.9 Administrative officer. The board of supervisors shall appoint an administrative officer authorized to enforce the resolutions or ordinances adopted by the board of supervisors. The administrative officer may be a person holding other public office in the county, or in a city or other governmental subdivision
Iowa Code Chapter 335

within the county, and the board of supervisors is authorized to pay to the officer compensation as it deems fit.

335.10 Board of adjustment. The board of supervisors shall provide for the appointment of a board of adjustment, and in the regulations and restrictions adopted pursuant to the authority of this chapter shall provide that the said board of adjustment may, in appropriate cases, and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinances or regulations in harmony with its general purpose and intent and in accordance with the general or specific rules therein contained, and provide that any property owner aggrieved by the action of the board of supervisors in the adoption of such regulations and restrictions may petition the said board of adjustment direct to modify regulations and restrictions as applied to such property owners.

335.11 Membership of board. The board of adjustment shall consist of five members, a majority of whom shall reside within the county but outside the corporate limits of any city, each to be appointed for a term of five years, excepting that when the board shall first be created one member shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year. Members shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired terms of any member whose term becomes vacant.

335.12 Rules. The board shall adopt rules in accordance with the provisions of any regulation or ordinance adopted pursuant to this chapter. Meetings of the board shall be held at the call of the chair and at such other times as the board may determine. Such chair, or in his or her absence, the acting chair, may administer oaths and compel the attendance of wit-

following responsibilities:
1. To issue permits for urban uses and collect any fees that may be established for said permits.
2. To carry out administrative duties for the zoning commission and board of supervisors.
3. To enforce the ordinance and stop all violations.
4. To explain the ordinance when citizens desire information on zoning.

A board of adjustment is necessary because it is impossible to write an ordinance that will fit all cases when hundreds of parcels of land are involved. The purpose of the board of adjustment is to alleviate cases of hardship that are created by a literal enforcement of the law and to provide a method for citizens to be heard when they disagree with the interpretation and application of zoning as it affects their property.

The board of supervisors appoints members to the board of adjustment as provided in this section. The terms of the members are staggered so that only one term may expire in any given year. This provides a continuity to the board of adjustment. The board of supervisors may also remove members for good reason, but these charges must be in writing and a public hearing held. Any board of adjustment position that becomes vacant shall be filled by the board of supervisors’ appointee for the rest of the term of the original appointment.

Because cases heard by the board of adjustment may be appealed to the civil courts, it is essential that complete records of all proceedings be kept. The rules of procedure must be adopted and followed, and all evidence must be carefully documented. The vote of each member in each case must be recorded. These records must be filed immediately in the office of the board of adjustment.
335.13 The right of appeal is unlimited. However, the board frequently receives appeals over which it has no jurisdiction. When an appeal is made to the board, all records involving the case must be transferred to the board from the office of the zoning administrator. The appellant must state in the appeal on what grounds the appeal is made. The board shall establish the limit, such as 30 days, within which an appeal must be filed.

335.14 When an appeal is filed with the board, no further action may be taken in the proceedings until the board has rendered a decision. If, however, waiting for a decision from the board might be perilous to life or property, corrective action may be taken unless restrained by an order from the board or a court of record.

335.15 The board of adjustment has three basic powers as outlined in this section. These powers are as follows:
1. If a citizen feels there is an error in the action of the enforcing officer, a decision may be requested from the board of adjustment. The board may decide against the applicant, in favor of the applicant, or may modify the decision of the enforcing officer. The board’s decision is final.
2. The zoning ordinance may state that certain exceptions to the ordinance may be granted by the board. An

Iowa Code Chapter 335

nesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

335.13 Appeals to board. Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of the county affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board of adjustment, by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board of adjustment all the papers constituting the record upon which the action appealed from was taken.

335.14 Stay of proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that, for any reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

335.15 Powers of board. The board of adjustment shall have the following powers:
1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this chapter or of any ordinance adopted pursuant thereto.
2. To hear and decide special exceptions to the terms of the ordinance upon which such
board is required to pass under such ordinance.

3. To authorize upon appeal, in specific cases, such variance from the terms of the ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.

335.16 Decision. In exercising the above mentioned powers such board may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

335.17 Vote required. The concurring vote of three members of the board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to affect any variation in such ordinance.

335.18 Petition to court. Any person or persons jointly or severally aggrieved by any decision of the board of adjustment under the provisions of this chapter, or any taxpayer, or any officer, department, board, or bureau of the county may present to a court of record a petition duly verified, setting forth that such decision is illegal in whole or in part specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the filing of the decision in the office of the board.

335.19 Review by court. Upon the presentation of such petition, the court may allow a writ of certiorari directed to the board of ad-

example of such an exception is the location of a building or premises for use by a public service corporation such as a water, gas, or power company when the board believes it to be necessary for the public welfare.

3. If unusual conditions or circumstances cause a hardship when the provisions of zoning are applied, the board is permitted to vary the law so that a reasonable use of the property is allowed. Such conditions or circumstances might result from extreme topography or the shape of the property. For example, if zoning requires that a building be set back 50 feet from the street, but such a requirement would place the building in a ravine, the board may reduce the requirement so that a reasonable building site is available on the lot.

335.16 The board of adjustment has full and final authority in its decisions. The only recourse from a decision of the board is through the courts. Decisions of the board of adjustment do not require approval of the board of supervisors. The board of adjustment is separate and distinct from the zoning commission and should not be confused with it. In rendering a decision, the board may approve the request, deny it, or modify it.

335.17 The vote of at least three members of the board is required to reach a decision. This means that if only three of the five members of the board are present, the favorable vote of all three is required to approve an appeal.

335.18 Any disagreement with a decision of the board may be appealed to the civil courts. A petition to the court must be filed within 30 days after the decision of the board. This petition shall declare that the decision of the board was illegal and shall specify the grounds on which the decision was found to be illegal. If a petition is not filed within 30 days, the courts have no authority to hear the case and the board’s decision shall stand.

335.19 Upon the filing of a petition by an aggrieved party, the court may require the board of adjustment to forward all records pertaining to the case to the court
335.20 The board of adjustment is not required to forward to the court its original record of the appeal but must submit certified or sworn copies. These copies of the record must contain all facts and evidence pertaining to the case and evidence showing the grounds upon which the decision was based.

335.21 The court’s hearing shall be considered a new hearing. The court may require testimony or may appoint a referee to take evidence. The referee shall report the finding of fact to the court and any conclusions of the law which may be established by the referee. Such fact and conclusions shall be made a part of the court proceedings. The court may reverse, approve, or modify the board’s decision.

No court costs may be assessed against the board unless it is apparent that the board acted with negligence, in bad faith, or with malice in rendering its decision.

335.22 A petition of appeal concerning a decision of the board shall have priority over all other civil actions and proceedings before the courts.

335.23 Power is granted to the board of supervisors to stop, prevent, or correct violations of the zoning ordinance. The supervisors may take any appropriate action including prosecution against any violators of the ordinance.
such unlawful erection, construction, recon-
struction alteration, repair, conversion, main-
tenance, or use to restrain, correct or abate such
violation to prevent the occupancy of said
building, structure, or land or to prevent any
illegal act, conduct, business, or use in or about
such premises.

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 build-
ing or less number of stories, or require a
greater percentage of lot to be left unoccupied,
or impose other higher standards than are re-
quired 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 open
spaces, or requires a lower height of building
or a less number of stories, or a greater per-
centage 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 gov-
erns. 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 excep-
tion from the regulation.

335.25 Zoning for family homes.
1. It is the intent of this section to assist in
improving the quality of life of developmen-
tally disabled persons by integrating them into
the mainstream of society by making available
to them community residential opportunities
in the residential areas of this state. In order to
implement this intent, this section shall be lib-
erally construed.

2.a. “Developmental disability” or “Devel-
opmentally disabled” means a disability of a
person which is one of the following:

   (1) Attributable to mental retardation, ce-
       rebral palsy, epilepsy, or autism.
   (2) Attributable to any other condition
       found to be closely related to mental retarda-

335.24 When the zoning ordinance requires higher
standards than other local statutes or regulations, the
provisions of the zoning ordinance shall apply. When
other local laws or regulations require higher standards
than zoning, such regulations and laws shall apply.
Deed restrictions are private and enforceable only
through civil action. Deed restrictions have no effect
upon zoning regulations. Any zoning regulation which
relates to any activity within a flood plain may only be
established or changed after approval by the Iowa
Department of Water, Air, and Waste Management.

335.25 This portion of the zoning law is intended to
allow developmentally disabled people to reside in
residential areas in “family homes” of not more than
eight disabled people. Such homes must be licensed
as residential care facilities or child foster care facilities.
Family homes are to be treated as permitted uses in all
residential districts and may not be subject to any
special permit or variance procedure. A new family
home must be at least one-fourth mile away from
existing family homes. Family homes may not house
any resident:

   a. who is dangerous to himself or herself or others,
   b. who is in an active or acute stage of alcoholism, drug
      addiction, mental illness, or communicable disease.
   c. whose condition or conduct is such that he or she
      would be unduly disturbing to other residents, or
Explanation

Iowa Code Chapter 335

d. who is in need of medical procedures or services that cannot be carried out in the facility. Restrictive covenants cannot be used to inhibit family homes.

Explanation

Iowa Code Chapter 335

tion because the condition results in impairment of general intellectual functioning or adaptive behavior similar to that of mentally retarded persons or requires treatment and services similar to those required for the persons.

(3) Attributable to dyslexia resulting from a disability described in either sub-paragraph (1) or (2).

(4) Attributable to a mental or nervous disorder.

b. “Family home” means a community-based residential home which is licensed as a residential care facility under chapter 135C or as a child foster care facility under chapter 237 to provide room and board, personal care, habilitation services, and supervision in a family environment exclusively for not more than eight developmentally disabled persons and any necessary support personnel.

However, family home does not mean an individual foster family home licensed under chapter 237.

c. “Permitted use” means a use by right which is authorized in all residential zoning districts.

d. “Residential” means regularly used by its occupants as a permanent place of abode, which is made one’s home as opposed to one’s place of business, and which has housekeeping and cooking facilities for its occupants only.

3. Notwithstanding the optional provision in section 335.1 and any other provision of this chapter to the contrary, a county, county board of supervisors, or a county zoning commission shall consider a family home a residential use of property for the purposes of zoning and shall treat a family home as a permitted use in all residential zones or districts, including all single-family residential zones or districts of the county. A county, county board of supervisors, or a county zoning commission shall not require that a family home, its owner, or operator obtain a conditional use permit, special use permit, special exception, or variance. Section 135C.23, subsection 2 shall apply to all residents of a family home.

4. A restriction reservation, condition, exception, or covenant in a subdivision plan, deed, or other instrument of or pertaining to the transfer, sale, lease or use of property in a county which permits residential use of prop-
**Iowa Code** Chapter 335

Property but prohibits the use of property as a family home for developmentally disabled persons, to the extent of the prohibition, is void as against the public policy of this state and shall not be given legal or equitable effect.

335.26 Repealed by 81 Acts, ch 117.1097; see 331 302(2).

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 93A.6 for agricultural areas, section 93A.10 to 93A.12 and section 472.3, subsection 6, shall apply to farms and farm operations which are subject to the agricultural land preservation ordinance.

335.30 **Manufactured home.** A county shall not adopt or enforce zoning regulations or other ordinances which disallow the plans and specifications of a proposed residential structure solely because the proposed structure is a manufactured home. However, a zoning ordinance or regulation shall require that a manufactured home be located and installed according to the same standards for a foundation system, setback, and minimum square footage which would apply to a site-built, single family dwelling on the same lot. A zoning ordinance or other regulation shall not require a foundation system for a manufactured home which is incompatible with the structural design of the manufactured home structure. When units are located outside a mobile home park, requirements may be imposed that ensure visual compatibility of the foundation sys-

335.26 Section on penalties was repealed. This is now a matter of county home rule. However, a county may not provide penalties in excess of a $100 fine or more than 30 days imprisonment.

335.27 If a county adopts an agricultural land preservation ordinance, the use of farmland is restricted just as it is in an agricultural area. That is, the land may be used only for farm operations, farm houses, necessary utilities, and other farm oriented uses. Certain benefits also apply. The farm operations covered by the agricultural land preservation ordinance are protected from special tax assessments for such purposes as sewer, water, lights, and non-farm drainage improvements. Farmers in these areas also have some protection from nuisance suits and are given priority for water permits. The law also indicates that subsequent state agency rules will not be considered discriminatory if they are less restrictive concerning farm operations inside areas protected by an agricultural land preservation ordinance. Finally, if such land is condemned by the state, a statement must disclose if any of the land is class I or class II land, and if it is, that the condemnation of this land is necessary. (For more information refer to Extension Publication Pm-1079, *Iowa Land Use Law Explained.*)

335.30 Counties may not refuse to accept manufactured housing only on the grounds that it is manufactured housing. Counties can apply the same foundation standards, set-backs, and minimum square footage regulations that apply to other types of housing. A mobile home is considered a “manufactured home” only if it has been converted to real property by removing the wheels and placing it on a foundation. It also must be taxed on the same basis as a site-built dwelling.
Explanation

335.31 Elder family homes are considered family homes and are subject to the same zoning regulation. Their proximity to one another may be limited.

335.32 Homes for physically disabled persons are considered family homes and are subject to the same zoning regulations.

335.33 The county board of supervisors shall consider an elder group home a family home and can limit the proximity of one group home to another.

Iowa Code Chapter 335

335.31 Elder family homes. A county board of supervisors of county zoning commission shall consider an elder family home a family home, as defined in section 335.25, for purposes of zoning, in accordance with section 331A.2, and may identify limitations regarding the proximity of one proposed elder home to another.

335.32 Homes for persons with physical disabilities. A county board of supervisors or county zoning commission shall consider a home for persons with physical disabilities a family home, as defined in section 335.25, for the purposes of zoning, in accordance with chapter 504C.

335.33 Elder group homes. A county board of supervisors or county zoning commission shall consider an elder group home a family home, as defined in section 335.25, in accordance with section 231B.2, and may establish limitations regarding the proximity of one proposed elder group home to another.

Prepared by Stuart H. Huntington, extension community planning specialist

IOWA STATE UNIVERSITY
University Extension
Helping Iowans become their best.

File: Community Resource Development 2

...and justice for all

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Many materials can be made available in alternative formats for ADA clients. To file a complaint of discrimination, write USDA, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964. Issued in furtherance of Cooperative Extension work, Acts of May 8 and June 30, 1914, in cooperation with the U.S. Department of Agriculture. Stanley R. Johnson, director, Cooperative Extension Service, Iowa State University of Science and Technology, Ames, Iowa.