

ITEM #:	45
DATE:	06-24-25
DEPT:	P&H

COUNCIL ACTION FORM

SUBJECT: **AMENDMENTS TO CHAPTER 29 AND CHAPTER 13 OF THE AMES
MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS**

BACKGROUND:

Earlier this year, the Iowa General Assembly passed Senate File 592, which preempted local regulations pertaining to Accessory Dwelling Units (ADUs). The bill was signed into law by Governor Reynolds on May 1, 2025, and comes into effect on July 1, 2025. The minimum requirements of the state law necessitate changes to our local zoning standards. Fundamentally, the law intends to permit ADUs on single-family residence lots in a manner similar to that of a single-family dwelling.

The legislation defines an accessory dwelling unit as: "an additional residential dwelling unit located on the same lot as a single family residence that is either attached to or detached from the single family residence." A single family residence defined by the state corresponds to one- and two-family homes as defined in the Ames Zoning Ordinance.

The City Council initiated changes regarding ADUs at its May 27 meeting and included a change to require ADUs to meet full rear yard setback (20 feet in lieu of 3 feet). This rear yard change was due to the increased size and height allowances under the state law.

Significant aspects of the proposed ordinance that address required changes include increased maximum size from 900 square feet to a maximum of 1,000 square feet or 50% of the size of the single-family residence, whichever is greater.

Staff proposes within the new ordinance to define size by the definition of Gross Floor Area in Article 2 of the Zoning Ordinance: the sum of the gross horizontal area of floors of a building, including interior balconies and mezzanines. All horizontal dimensions are to be between the exterior faces of walls or from the center line of walls separating two buildings. Staff believes this is the most easily implemented option, compared to habitable area and net floor area options and aligns with the state law.

The Zoning Ordinance has minimum design standards for two-family dwellings (duplexes). The new ADU code applies the design standards to attached ADUs when both doors of the single-family residence and the ADU face the street.

The ADU ordinance continues to require ADUs to be of new construction, either attached or detached as allowed by state code. It does not allow for the conversion of an existing home into two dwelling units. The proposed ordinance does allow for conversion of accessory structures to an ADU if the structure meets all ADU setback and other requirements that would otherwise apply. For example, a garage in the rear yard that meets all setbacks could be converted, but a garage with a reduced rear yard setback below 20 feet that applies to ADUs would not be eligible for a conversion to an ADU.

Changes to Chapter 13 are clean-up items to align definitions and ownership requirements with the state law. The Near Campus Neighborhood Occupancy limitation will still apply, which limits rental occupancy for properties with increased or additional bedrooms since 2018.

Although no parking can be required for the ADU, the standard includes the requirements that the minimum parking of two spaces per single family residence must exist to have an ADU.

A full listing of ADU standards is described in the Addendum. The complete draft ordinance is attached.

PUBLIC NOTICE

The text amendment was reviewed at separate meetings by both the Historic Preservation Commission and the Planning and Zoning Commission. Both Commissions recommended approval with no changes to the staff proposal. The public hearing notice was published in the newspaper.

ALTERNATIVES:

1. Adopt the regulations for Accessory Dwelling Units based upon the proposed changes as shown in Attachment A. **Suspension of the rules is requested to pass the ordinance on second and third readings and adopt it.**
2. Adopt regulations for Accessory Dwelling Units with modified standards.
3. Refer the item back to staff for more information.

CITY MANAGER'S RECOMMENDED ACTION:

The attached ordinance includes revisions needed to comply with the new state statute for Accessory Dwelling Units, which comes into effect on July 1 of this year. The revised standards require ADUs to be regulated like single-family residence for most development standards (setbacks, lot size, etc.) and removes requirements such as owner-occupancy to rent out the ADU. The proposed ordinance changes are consistent with Council's prior direction to remove the accessory building exception to setbacks for ADUs. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

ATTACHMENT(S):

[Addendum.pdf](#)

[Final Ordinance ADUs Standards.PDF](#)