

**COMMISSION ACTION FORM**

**SUBJECT: TEXT AMENDMENT TO AMEND THE ACCESSORY DWELLING UNIT STANDARDS**

**BACKGROUND:**

Earlier this year, the Iowa General Assembly passed Senate File 2369, which makes changes to the way counties and cities in Iowa can regulate Accessory Dwelling Units (ADUs). The new bill amends a bill filed last year, Senate File 592, which preempted county and city regulations regarding ADUs. The new bill was signed into law by Governor Reynolds on April 9, 2026, and comes into effect on July 1, 2026. The minimum requirements of the state law necessitate some changes to our local zoning standards. **Fundamentally, the two laws require Iowa municipalities to permit ADUs on single-family lots in manner that is similar to that of a single-family dwelling.**

The 2025 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 new law this year makes the following changes:

- Clarifying that municipalities are only required to permit ADUs on properties where single-family residences are allowed as a principal use. The law in 2025 was unclear as to whether municipalities were required to allow ADUs on properties with legally nonconforming single-family residences regarding use.
- Last year’s law stipulated that an ADU is limited in size to 1,000 square feet or 50% of the size of the single-family residence, whichever is larger. This year’s law states that the size calculation of an ADU shall exclude unfinished basements. Note that finishing out basement space in the future may not be permissible if the size limit is already met.
- Amends the language relating to the review of ADUs on properties designated as historic (including historic districts).
- Last year’s law did not explain how size was defined for calculating the area of an ADU. This year’s law defines size as “the gross living area of the primary dwelling unit excluding garages, decks, and unheated porches.”

Staff also identified two changes to our own standards:

- Clarifying that in zoning districts where side setbacks are based on the number of building stories (6 feet for one story, 8 feet for two story, etc.), side setbacks for attached ADUs shall match the single-family residence and side setbacks for detached ADUs shall be considered independently.

- Adding that ADU standards for side and rear setbacks and lot coverage are not ineligible for Alternative Design (the 20% Alternative Design Rule). Staff believe minor flexibility similar to principal dwellings will help for reasonable construction of ADUs for smaller lots. The overall size and other main limitations on ADUs are not affected by this allowance for flexibility.

**Proposed Ordinance Language:**

The proposed language incorporates the changes in the state law and the two modifications identified by staff (Attachment A).

**ALTERNATIVES:**

1. Recommend that City Council amend the regulations for Accessory Dwelling Units based upon the proposed changes as shown in Attachment A.
2. Recommend that City Council amend the Zoning Ordinance differently from what staff recommended in Attachment A.

**PLANNING AND HOUSING DEPARTMENT RECOMMENDATION:**

Staff have prepared draft language for an ordinance (Attachment A) to comply with the new state statute for Accessory Dwelling Units, which comes into effect on July 1 of this year. The revised code amends the regulations in response to state law and makes two additional changes that staff believe are beneficial.

With the Commission's recommendation, staff will work to finalize language for a draft ordinance in coordination with the City's Legal Department.

**Therefore, the Planning and Housing Department recommends Alternative #1.**

**Attachment A  
Proposed Zoning Code Amendments for  
Accessory Dwelling Units**

**CHAPTER 29, ZONING**

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**Sec. 29.409. ACCESSORY DWELLING UNIT (ADU) STANDARDS.**

An ADU is a newly constructed additional residential dwelling unit located on the same lot as a single-family residence as defined by state law. This includes properties with a single-family or two-family dwelling defined within the Zoning Ordinance.

(1) Where Permitted.

(a) An ADU is permitted on any lot:

(i) with only a single-family residence. ~~and~~

(ii) that is within a zoning district that allows for single-family residence as a principal use.

(b) Overlay zoning districts. If the property is in an overlay zone, such as the Single-Family Conservation (O-SFC) or the Historic (O-H), it may be subject to additional design standards and permitting requirements. In the event of conflict between overlay regulations and the regulations included herein, the more restrictive regulations shall control.

(c) An ADU proposed for a lot within a local historic district or on a locally designated property shall be regulated to the extent that the City or Historic Preservation Commission determine that the proposed ADU would be incongruous with the historical, architectural, archaeological, or cultural aspects of the area, and enters into official records the reasons for such determination.

(2) Independent Dwelling Unit.

(a) Location. An ADU may be:

(i) Attached to the single-family residence.

(ii) Detached from the single-family residence in a free-standing structure.

(iii) Located within a converted, existing accessory structure, so long as the structure complies with all ADU requirements, including setbacks.

(iv) No ADU may be established within an existing single-family residence.

- (b) Functions Independently. The ADU must function independently from the single-family residence. It must include its own bathroom and kitchen facilities and be connected to public utilities including water and sanitary sewer. Separate metering is not required but allowed.
  - (c) Foundation. Whether constructed on site or premanufactured, an ADU must be placed upon a permanent foundation.
- (3) Development Requirements
- (a) All ADUs shall follow the same regulations as the single-family residence on the property regarding:
    - (i) Maximum height
    - (ii) Minimum setbacks
    - (iii) Minimum lot size
    - (iv) Minimum building frontages
    - (v) Maximum lot coverages
    - (vi) Density requirements
    - (vii) Aesthetic or architectural standards
  - (b) Setbacks.
    - (i) Where side setbacks are based on building height, the single-family residence and the detached ADU shall individually have minimum setbacks based on their respective heights.
    - (ii) Setbacks for an attached ADU shall be the same as the single-family residence to which it is attached.
  - (c) ADUs are not regulated as accessory structures or accessory buildings in Sec. 29.408.
  - (d) ADUs are not subject to the rear yard coverage restrictions in Sec. 29.408.
  - (e) ADUs may be either freestanding or attached to the single-family residence.
    - (i) Attached ADUs must be of new construction and not a conversion of an existing dwelling.
    - (ii) Conversion of a detached accessory structure to an ADU must be in compliance with all zoning standards, including setbacks and lot coverage as a newly constructed ADU. For example, a nonconforming detached structure cannot be converted if it does not meet current zoning standards.
  - (f) The design of the ADU when attached to the home with a total of two doors facing the street is subject to the design requirements of two-family homes.
  - (g) ADUs are not required to adhere to the minimum standards of 29.410(1)(a), relating to minimum dimensions.
- (4) Size Limitations and Bedrooms.
- (a) The ADU may not exceed 1,000 square feet or 50% of the size of the single-family residence, whichever is larger.

- (i) Size means the gross living area of the primary dwelling unit excluding garages, decks, and unheated porches. ~~For purposes of this section, size of the single-family residence is calculated on the Gross Floor Area as defined in Sec. 29.201.~~
- (ii) The size calculation of an accessory dwelling unit shall exclude unfinished basements. It may therefore be impermissible to finish and complete unfinished basements if this space impacts the size calculation. ~~For purposes of this section, the size of the ADU is calculated on the Gross Floor Area as defined in Sec. 29.201.~~

(b) The ADU is limited to one bedroom. Any additional area or room that meets the definition of a bedroom as defined within the Zoning Ordinance is prohibited.

(5) Parking & Driveways.

(a) No on-site parking is required for the ADU in addition to the required parking for the single-family residence. On-site single-family residence parking must be provided to approve an ADU. If parking is provided, it must be paved and located in accordance with the requirements of 29.406.

(b) Sidewalk. A sidewalk is required to connect the primary exterior entrance of the ADU with the parking area, the single-family residence, or the street.

(6) Occupancy.

(a) Occupancy limitations may apply to Near Campus Neighborhoods, as defined within Chapter 13, Rental Code.

(b) Rentals. Any ADU or single-family residence that is intended for use as a rental must be registered with the city and have a valid rental permit. All requirements of Chapter 13, Rental Code apply.

**Sec. 29.1502 Site Development Plan Review**

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**(7) Alternative Design Review.**

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(d) **Ineligible Standards.** The following standards in Chapter 29 of the Municipal Code are not eligible:

- (i) Density (including lot area per unit)
- (ii) Location of and paving of vehicle maneuvering areas and driveways in a front yard
- (iii) Minimum lot frontage

- (iv) Rock size limitations in Campustown Service Center Standards
- (v) Lighting output standards
- (vi) Fence Height Limitations
- (vii) Dwelling Design Standards of 29.409 and 29.410, [with the exception of ADU standards for side and rear setbacks and lot coverage.](#)
- (viii) Building Story Limitations