

The Board of Supervisors met on 7/8/25 at 10:00 a.m. in the Story County Administration Building. Lisa Heddens, Linda Murken, and Latifah Faisal, with Heddens presiding. (all audio of meetings available at storycountyiowa.gov; any resolution is effective upon signature and can be inspected M-F, 8-4:30, at 900 6th Street, Nevada, Iowa)

ADOPTION OF AGENDA: Murken moved, Faisal seconded adopting the agenda as listed. Motion carried unanimously (MCU) on a roll call vote.

MINUTES: 7/1/25 Minutes – Faisal moved, Murken seconded approving 7/1/25 Minutes as presented. Roll call vote. (MCU)

PERSONNEL ACTIONS: 1) pay adjustment, effective 7/13/25 in a) Auditor's Office for Scott Wall @ \$36.15/hr; b) Facilities Management for Kelly Anderson @ \$31.95/hr; c) Recorder's Office for Lori Arends @ \$22.06/hr; d) Secondary Roads for Trevor Coughenour @ \$27.05/hr; Mark Handsaker @ \$31.28/hr; Ryan Peterson @ \$36.62/hr; e) Sheriff's Office for Carson Linkenmeyer @ \$3,210.40/bw; Brett Sink @ \$3,403.20/bw. Murken moved, Faisal seconded approving the Personnel Actions as listed. Roll call vote. (MCU)

Faisal moved, Murken seconded approving the Consent Agenda.

1. Renewal of Class F Retail Alcohol License for Ames Golf and Country Club, 5752 George Washington Carver Avenue, Ames, Iowa, effective 9/10/25-9/9/26, including outdoor service
2. Test Licensing Agreement between Ergometrics and Story County for job applicant testing, effective 7/10/25, not to exceed \$900.00
3. Professional Consultant Services Agreement/Appointment of Medical Examiner Investigator for Samuel Sexe to fill an unexpired term ending 12/31/26
4. Road Closure: #26-01
5. Utility Permit: #26-8378

Roll call vote. (MCU)

FIRST CONSIDERATION OF ORDINANCE NO. 326, AMENDING CHAPTER 85, GENERAL PROVISIONS AND DEFINITIONS, CHAPTER 86, DISTRICT REQUIREMENTS, AND CHAPTER 92, ADMINISTRATION, OF THE STORY COUNTY CODE OF ORDINANCES - LAND DEVELOPMENT REGULATIONS FOR A TEXT

AMENDMENT TO ENSURE COMPLIANCE WITH CODE OF IOWA: Leanne Harter, Director of Planning and Development, reported this is for text amendments defining accessory dwelling units (ADU) and variances text in order to conform with recently-passed legislation which was effective as of 7/1/25. Harter reported on one public comment and subsequent changes; both the Planning and Zoning Commission and Staff recommend approval. She reviewed changes and alternatives. Harter requests the Board waive Second and Third considerations to conform with now-existing law. Heddens opened the public hearing at 10:07 a.m., and, hearing none, she closed the public hearing at 10:07 a.m. Murken moved, Faisal seconded approving the First Consideration of Ordinance No.326, Amending Chapter 85, General Provisions and Definitions, Chapter 86, District Requirements, and Chapter 92, Administration, of the Story County Code of Ordinances - Land Development Regulations for a Text Amendment to Ensure Compliance with Iowa Code, and waiving Second and Third considerations. Roll call vote. (MCU)

DIRECTION FOR RELOCATION AND REMODELING OF THE EMERGENCY MANAGEMENT OFFICE AND THE EMERGENCY OPERATIONS CENTER (EOC): Joby Brogden, Facilities Management Director, reported on all possible options to upgrade the EOC. He asked for questions. Discussion took place. Faisal stated the Administration Building is re-enforced, and has a new generator. Additional discussion took place. Murken asked about the security of the EOC room. Melissa Spencer, Emergency Management Coordinator, reported on multiple items regarding access to the office, and use of funding from the commission. Brogden reported estimates only include hard construction costs. Spencer reported some soft costs can be covered by Emergency Management budget. The Board directed Brogden to move forward with Option 4 – minimal EOC remodeling for \$216,000.00 and return with additional detail.

UPCOMING AGENDA ITEMS: Heddens reported on CFR request on the agenda next week.

LIAISON ASSIGNMENTS, COMMITTEE MEETINGS UPDATES, AND ANNOUNCEMENTS FROM THE SUPERVISORS: All Board members reported on multiple items.

Murken moved, Faisal seconded to adjourn at 10:26 a.m. Roll call vote. (MCU)

Story County Board of Supervisors
Tentative Agenda
Administration Building, 900 6th St., Nevada, IA

7/8/25

1. SPECIAL NOTE TO THE PUBLIC: (3) - This Meeting Is Also Being Offered Via Zoom. While Joining Via Zoom, If You Have A Question And/Or Comment, You May Raise Your Hand To Speak During Public Forum Or Use The Chat Feature And The Chair Will Ask The Zoom Moderator To Review All Comments During Public Forum.

Members of the public can participate by using the information below:

To join the zoom meeting by computer, tablet, smartphone :

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. [HTTPS://US02WEB.ZOOM.US/J/84068041164?](https://us02web.zoom.us/j/84068041164?pwd=F8FOEWLWOCBJMLT38A4FCLRFM0H6GN.1)
PWD=F8FOEWLWOCBJMLT38A4FCLRFM0H6GN.1
Passcode: 751099

Or One tap mobile:

+13017158592,,84068041164# US (Washington DC)
+13052241968,,84068041164# US

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or
+1 646 931 3860 or +1 929 205 6099 or +1 360 209 5623 or +1 386 347 5053 or +1 507
473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000
or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799
Webinar ID: 840 6804 1164

2. CALL TO ORDER: 10:00 A.M.
3. PLEDGE OF ALLEGIANCE:
4. ADOPTION OF AGENDA:
5. PUBLIC COMMENT #1:
This comment period is for the public to address topics on today's agenda
6. AGENCY REPORTS:
7. CONSIDERATION OF MINUTES:
 - I. 7/1/25 Minutes
8. CONSIDERATION OF PERSONNEL ACTIONS:
 - I. Action Forms

Department Submitting Auditor

Department Submitting HR

Documents:

ACTION FORMS.PDF

9. CONSENT AGENDA:

(All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time the Board votes on the motion.)

- I. Consideration Of Renewal Of Class F Retail Alcohol License For Ames Golf & Country Club, 5752 George Washington Carver Ave., Ames, Ia., Effective 9/10/25-9/09/26, Including Outdoor Service

Department Submitting Auditor

Documents:

AMES GOLF CC.PDF

- II. Consideration Of Licensing Agreement Between Ergometrics And Story County Effective 07/10/2025 Not To Exceed \$900

Department Submitting Sheriff

Documents:

ERGOMETRICS.PDF

- III. Consideration Of Professional Consultant Services Agreement And Appointment Of Medical Examiner Investigator Samuel Sexe To Fill An Unexpired Term Ending 12/31/26

Department Submitting Board of Supervisors

Documents:

SAMUEL SEXE MEI.PDF

- IV. Consideration Of Road Closure Resolution(S): #26-01

Department Submitting Engineer

Documents:

26 01.PDF

- V. Consideration Of Utility Permit(S) #26-8378

Department Submitting Engineer

Documents:

UT 26 8378.PDF

10. PUBLIC HEARING ITEMS:

- I. First Consideration Of Ordinance No.326, Amending Chapter 85, General Provisions And Definitions, Chapter 86, District Requirements, And Chapter 92, Administration, Of

The Story County Code Of Ordinances - Land Development Regulations For A Text Amendment To Ensure Compliance With Iowa Code - Leanne Harter

Department Submitting Planning and Development

Documents:

STAFF REPORT TO BOS.PDF
ORDINANCE NO 326.PDF

11. ADDITIONAL ITEMS:

12. DEPARTMENTAL REPORTS:

13. OTHER REPORTS:

- I. Discussion And Direction For Relocation & Remodeling For Emergency Management And The E.O.C. - Joby Brogden And Melissa Spencer

Department Submitting Facilities Management

Documents:

EOC REMODEL OPTIONS.PDF
THE 4 OPTION COST OPINION.PDF

14. UPCOMING AGENDA ITEMS:

15. PUBLIC COMMENT #2:

Comments from the Public on Items not on this Agenda. The Board may not take any Action on the Comments due to the Requirements of the Open Meetings Law, but May Do So In the Future.

16. LIAISON ASSIGNMENTS, COMMITTEE MEETINGS UPDATES, AND ANNOUNCEMENTS FROM THE SUPERVISORS:

17. ADJOURNMENT:

Story County strives to ensure that its programs and activities do not discriminate on the basis of race, color, national origin, sex, age or disability. Persons requiring assistance, auxiliary aids or services, or accommodation because of a disability may contact the county's ADA coordinator at (515) 382-7204.

Story County Board of Supervisors

Agenda

7/8/25

NAME

AGENCY

Joby Broglio

SCFM

Matthew Miller

SCFM

Melissa Spencer

SCMA

Crystal Davis

BOS

Sandra J

BUS

Leanne

P&D

Lucy Mader

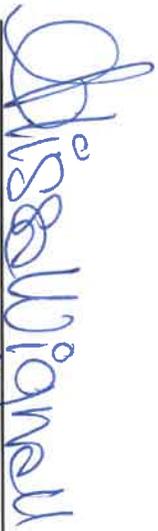
Arhter

Story County Personnel Actions

Effective Date	Action	Name	Job Title	Department/Office	Status	Grade	Step	Longevity	Salary	Bi-weekly/Hourly
										Rate
7/13/2025	Pay Adjustment	Wall, Scott	Mapping Technician	Auditor's Office	Full-time	14	O	N/A	75196.45	\$36.15
7/13/2025	Pay Adjustment	Anderson, Kelly	Maintenance Technician	Facilities Management	Full-time	13	L	N/A	\$66,462.71	\$31.95
7/13/2025	Pay Adjustment	Arends, Lori	Recording Clerk	Recorder's Office	Full-time	10	C	N/A	\$45,890.21	\$22.06
7/13/2025	Pay Adjustment	Coughenour, Trevor	Light Equipment Operator	Secondary Roads	Full-time	8	1	N/A	\$56,264.00	\$27.05
7/13/2025	Pay Adjustment	Handsaker, Mark	Heavy Equipment Operator	Secondary Roads	Full-time	9	3	N/A	\$65,062.40	\$31.28
7/13/2025	Pay Adjustment	Peterson, Ryan	Heavy Equipment Operator	Secondary Roads	Full-time	9	9	N/A	\$76,169.60	\$36.62
7/13/2025	Pay Adjustment	Sink, Brett	Deputy Sheriff	Sheriff's Office	Full-time	6	6	12 years	\$88,483.20	\$3,403.20
7/13/2025	Pay Adjustment	Linkenmeyer, Carson	Deputy Sheriff	Sheriff's Office	Full-time	5	5	N/A	\$83,470.40	\$3,210.40

Approved this 8th day of July, 2025


 Chairperson, Board of Supervisors


 Alissa Wignall, Director of Internal Operations & Human Resources

Test Licensing Agreement

This is a legal agreement between the Licensing Agency (Licensee) and Ergometrics and Applied Personnel Research, Inc. (Licensor) By accepting the Ergometrics test materials for use, you are agreeing to the terms of this agreement and that you have authority to enter into such an agreement on behalf of the Agency.

Licensee

Lisa Heddens

7-8-25

Principal Signer

Date

Signature



Story County Board of Supervisors, Chair

Title

Story County Sheriff's Office

Agency Name

1315 S B Avenue

Physical Address

Nevada

Iowa

State

50201

Zip

City

(515)382-7458

Telephone

ctoresdahl@storycountyiowa.gov

Email

Authorized Contacts

Please list, in addition to the Principal Signer, anyone who is authorized to receive materials, scores or discuss scores with Ergometrics. Licensee is responsible for updating Ergometrics of any changes to Authorized Contacts.

Nicolas Briseno

Authorized Contact

Communications Commander

Title

(515)382-7477

Telephone

nbriseno@storycountyiowa.gov

Email

Constance Toresdahl

Authorized Contact

Administration Commander

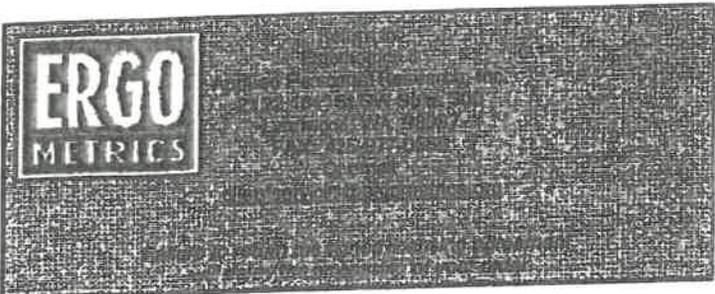
Title

(515)382-7458

Telephone

ctoresdahl@storycountyiowa.gov

Email



For Office use only:

Product: _____

License Type: _____

Highrise: _____

Exam HQ: _____

Notes: _____

Per Applicant Test Licensing Agreement

1. Scope of Agreement

Ergometrics & Applied Personnel Research, Inc. ("Licensor") grants to the Licensee the right to use the Licensor's tests, outlined in Attachment A to this Agreement, incorporated herein by reference, and all associated materials (collectively, the "Test"), for the sole purpose of pre-employment and promotional testing. The Test may not be used for training purposes under any circumstances. The Licensee may not lease, rent, loan, transfer or administer this test to or for any other agency or entity without express written permission from the Licensor. The Test meets and/or exceeds all Equal Employment Opportunity Commission guidelines and professional standards. This agreement does not include local validation for the Licensee. The Licensor will provide national validation reports upon request. In the event of challenge, the Licensor will provide expert testimony at its regular consulting rates. The Licensor assumes no liability for the use or misapplication of this product.

2. Copyright

The Test is owned by the Licensor and protected by United States copyright laws and international treaty provisions. The Licensee is not authorized to copy any videos or DVD's. Printed materials may only be copied with express permission from the Licensor and may only be used for the purposes described in this Agreement or as otherwise approved by the Licensor.

3. Implementation

The Licensor will provide the Licensee general written or telephone instructions on the administration and use of the Test. The Licensor warrants that the video, audio, and printed materials are free from defects in material and workmanship. Licensor will assist Licensee with interpretation of score results and scoring methodology. The licensee was offered a transportability analysis as part of the implementation process. If the licensee chose not to conduct such an analysis, they hereby affirm they understand it is their responsibility to ensure the job is similar enough to the departments that participated in the criterion validation of the exam and/or have sufficient evidence of content validity.

4. Test Security

Licensee will maintain strict security of the Test in accordance with accepted security practices and those incorporated herein. Licensee shall be fully responsible for the secure storage and use of the Test and will establish and maintain strict test security procedures, including precautions preventing materials from being stolen, copied, or otherwise compromised.

- a. The Test must not be left unattended at any time, and when not in use, the Test must be kept in a secured and locked location. Trash containing confidential material will be disposed of securely.
- b. All persons having access to the Test must sign the Individual Statement of Understanding, found in the Administration Packet, and all signed copies kept on file with the Licensee for one year from the date of signature.
- c. Certification of Compliance with Confidentiality and Copyright, found in the Administration Packet, must be collected from each applicant before testing sessions begin, and all signed copies kept on file with the Licensee for one year from the date of signature.
- d. The Test maintained in electronic format must be kept on a non-networked, standalone computer.
- e. Cell phones and electronic devices are not allowed in the test administrations.
- f. No one, other than the official test monitor, should take notes or any other confidential materials from a testing room. In the event of loss or theft of the Test, or cheating, Licensor must be notified immediately.
- g. Any testing materials shipped must use a form of registered

service with tracking number and signature for delivery.

h. Test content is confidential and copyrighted. Any conversations about Test content must only be conducted formally in conjunction with the Licensor.

5. Subcontracting the Test

The Test is licensed for use only by the Licensee. The Licensee must contact the Licensor to obtain permission if the Licensee wishes to subcontract test administration or other services that involve the outside handling of the Test. The Licensee will remain fully responsible for the security of materials that are handled in this manner.

6. Termination

This Agreement may be terminated in whole in the event that the Licensee or Licensor breaches any material provision of this Agreement and fails to cure such breach within thirty (30) days after the non-breaching party delivers written notice of such breach to the breaching Party. Upon termination, Licensor will be entitled to payment, determined on a pro rata basis for services performed or rendered, and all Test materials must be returned immediately to the Licensor once the Agreement has been terminated.

7. Events Upon License Expiration or Termination

Upon any termination or expiration of this Agreement for any reason, Licensee will cease use of all testing materials and return such materials within 15 days of expiration or termination of the Agreement. Late or lost Test materials will be subject to additional fees. Attachment A to this Agreement sets out additional provisions in respect of the parties' obligations upon termination.

8. Pricing

Pricing for this Agreement is specified in Attachment A, incorporated herein by reference.

9. No Waiver

The waiver or failure of either Party to exercise in any respect any right provided in this Agreement shall not be deemed a waiver of any other right or remedy to which the party may be entitled.

10. Entirety of Agreement

The terms and conditions set forth herein constitute the entire Agreement between the Parties and supersede any communications or previous agreements with respect to the subject matter of this Agreement. There are no written or oral understandings directly or indirectly related to this Agreement that are not set forth herein. No change can be made to this Agreement other than in writing and signed by both Parties. Any previous Test Licensing agreements between Licensee and Licensor are null and void, replaced by this one.

11. Headings in this Agreement

The headings in this Agreement are for convenience only, confirm no rights or obligations in either party, and do not alter any terms of this Agreement.

12. Severability

If any term of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, then this Agreement, including all of the remaining terms, will remain in full force and effect as if such invalid or unenforceable term had never been included.

13. Governing Law

This Agreement is governed by the laws of the State of Washington.



PROFESSIONAL CONSULTANT SERVICES AGREEMENT
(Contracted Services)

Under the provision of Section 3401 of the Internal Revenue Code of 1954, an employer must withhold income tax from all remuneration actually or constructively paid to an employee. This agreement covers professional services provided by Samuel Sexe as an independent contractor. Samuel Sexe assumes all responsibility for payroll taxes and required FOAB contributions.

In general, an individual who is subject to the control and direction of another only as to the results of their work, and not as the means by which it is accomplished as an independent contractor and is not an employee.

AGREEMENT

NAME OF CONTRACTOR: Samuel Sexe

MAILING ADDRESS: 4716 NE Briarwood Dr

EMAIL: Samsexe12@outlook.com

CELL PHONE #: 515-890-3478 WORK PHONE #: N/A

1. DESCRIPTION OF SERVICES: Medical Examiner Investigations/On-Call – death as outline in the Iowa Code ch: 331.802 at the direction of the Story County Medical Examiner.

2. DATES: 1/1/25 – 12/31/26; 2 year term (completion of an unexpired term)

3. TIME(S): To be determined by the Story County Medical Examiner

4. LOCATION: To be determined by the Story County Medical Examiner

5. PROFESSIONAL FEES: \$300.00/per Investigation plus County mileage paid at current County rate

6. SPECIAL CONDITIONS: Insurance coverage is provided for services the medical examiner investigators perform on behalf of the County.

CERTIFICATION

I certify that I have read the above statement regarding the requirements of the IRS for an “independent contractor” and I assume the responsibility for payroll and FOAB contributions. I agree to the conditions stated above for services provided by myself to Story County.

Signature [Signature] Date 7-1-2025

Approved By [Signature] Date 7-8-25

W-9: Please choose one

Yes, my W-9 is on file with Story County

No, my W-9 is not on file with Story County and I’ve attached my W-9 with this form



NOTICE OF APPOINTMENT

PERSON APPOINTED: Samuel Sexe

BOARD COMMISSION OR COMMITTEE APPOINTED TO:

Medical Examiner Investigator

LENGTH OF TERM: 2 Years

IS THIS APPOINTMENT TO FILL AN UNEXPIRED TERM? Yes

IF SO, WHOSE TERM:

Katelyn Bejes

WHO NEEDS TO BE NOTIFIED? _____

DATE APPOINTED: 7/8/25

DATE TERM EXPIRES: 12/31/26

APPROVED **DENIED**
Board Member Initials: AKH
Meeting Date: 7-8-25
Follow-up action: _____



1215 Duff Avenue
Ames, Iowa, 50010
Department of Anatomic Pathology
P: 515.239.4493
F: 515.239.4741

To: Story County

6/25/2025

RE: MEI

Dear Story County,

I officially recommend Samuel Sexe for Medical Examiner Investigator for Story County. Samuel has is currently an MEI at Polk County and has a master's degree in criminalistics from Gannon University. He already has taken the MEI course.

Thank you,

Dr. Andersen

A handwritten signature in black ink, appearing to read 'Trisha Andersen, DO'.

Trisha Andersen, DO
McFarland Clinic Anatomic Pathology

Closure No. 26-01

Date June 30, 2025

Resolution

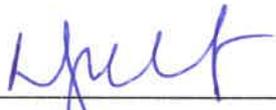
BE IT RESOLVED

By the Board of Supervisors of Story County, Iowa, to approve the Road Closure(s) for the purpose of Weather related flooding

Section 22/23 Union Twsp Road Closure 315th St between 597th Ave and 610th Ave



Chair, Board of Supervisors

Attest: 

County Auditor

ROLL CALL	Latifah Faisal	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
FOR ALLOWANCE	Lisa Heddens	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
	Linda Murken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>

ALLOWED BY VOTE OF THE BOARD

Yea 3 Nay 0 Absent 0



CHAIRPERSON

Above tabulation made by SB

Job # 125097 C-27-25

1-00

Permit Number 26-8378

STORY COUNTY UTILITY PERMIT

Date 6/30/25

To the Board of Supervisors, Story County, Iowa:
XENIA RURAL

The WATER DISTRICT Company, incorporated under the laws of IOWA
authorize to do business within the State of Iowa, with its principal place of business at 23998
141st ST, Bouton IA 50039 does hereby make application requesting
permission to occupy certain portions of public right-of-way and that the County Engineer be
directed to establish the location of lines of transmission of potable water on secondary route

To provide water service per attached map(s).

Agreements: The utility company, corporation, applicant, permittee, or licensee, (hereinafter referred to as the permittee) agrees that the following stipulations shall govern under this permit.

1. The Permittee will file a plat setting out the location of proposed line on the secondary route and that the description of the proposed installation including type, height, and spacing of poles, maximum voltage, lengths of cross arms, minimum clearance and number of wires, type, size and capacity of underground cables, conduits, tile lines, and pipe lines, maximum working pressures for pipe lines carrying gas or flammable petroleum products are described as follows:
2. The installation shall meet the requirements of county, state, and federal laws, franchise rules, and of the Iowa State Commerce Commission Regulations and Directives, Utilities Division, the Iowa State Department of Health, and any other laws or regulations applicable.
3. The Permittee shall be fully responsible for any future adjustments of its facilities within the established highway right-of-way caused by highway construction or maintenance operations.
4. Story County assumes no responsibility for damages to the Permittee's property occasioned by any construction or maintenance operations on said highways.
5. The Permittee shall take all reasonable precautions during the construction and maintenance of said installation to protect and safeguard the lives and property of the traveling public and adjacent property owners.
6. The Permittee, and its contractors, shall carry on the construction or repair of the accommodated utility with serious regard to the safety of the public. Traffic protection shall be in accordance with Part VI of the current Iowa Department of Transportation Manual on Uniform Control Devices for Streets and Highways.
7. The Permittee shall be responsible for any damage resulting to said highways because of the construction operation, or maintenance of said utility, and shall reimburse Story County for any expenditure the County may have to make on said highways because of said permittee's utility having been constructed, operated, and maintained thereon.

8. The Permittee shall indemnify and save harmless Story County from any and all causes of action, suits at law or in equity, or losses, damages, claims, or demands, and from any and all liability and expense of whatsoever nature for, on account of or due to the acts or omissions of said Permittee's officers, members, agents, representatives, contractors, employees or assigns arising out of or in connection with its (or their) use or occupancy of the public highway under this permit.

9. Noncompliance with any of the terms of permit, or agreement, may be considered cause for shut down of utility construction operations, or revocation of the permit.

10. The following special requirements, if applicable, shall apply to this permit:

Whenever the route of the proposed cable line runs along a paved secondary highway, the location of said cable shall be constructed on top of the road shoulder so as to be within approximately two-feet of the pavement edge.

Whenever the route of the proposed cable line runs along a dirt or gravel surfaced highway, the location of said cable shall be constructed on top of the road surface and as near possible to the shoulder line

Whenever a cross road culvert or bridge is encountered along the route of the proposed cable lines, said cable shall be constructed around the ends of said cross road culvert or bridge even though this looping is not designated on the situation plans attached hereto.

The crossing of the cable line from one side of the highway to the other shall be accomplished at a near right angle rather than diagonally so as to disturb the roadbed of the traveled way as little as possible.

Whenever the route of the proposed cable line is to cross a paved highway, such crossing shall be in a bored hole rather than open cut trench.

Date 6-27-25

XENIA RURAL WATER DISTRICT

Name of Company (Applicant - Permittee)

Dwaine (515) 676-2117

by Phone no.

Recommended for Approval:

Date 6-30-25

Jaron Moun

Asst. County Engineer

515-382-7355

Phone no.

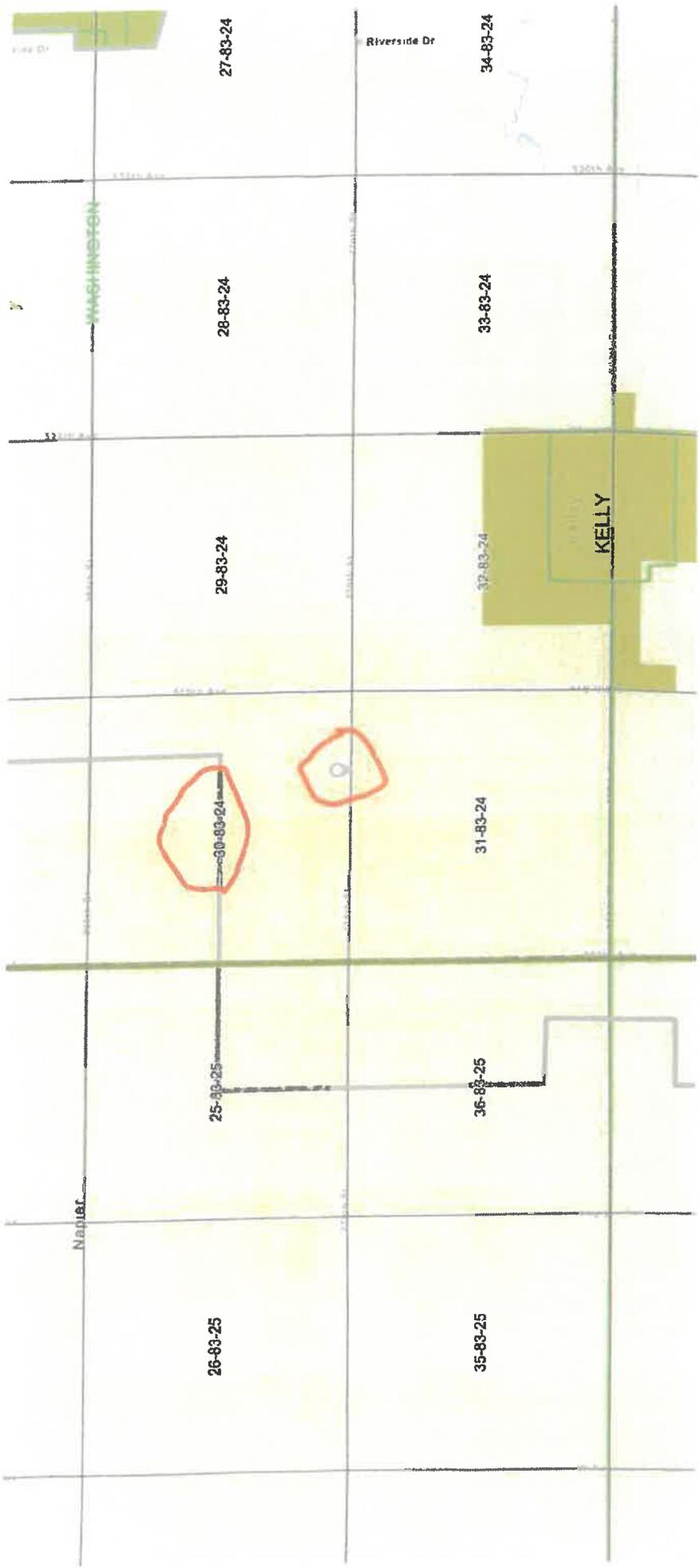
Approved:

Date 7-8-25

John K. Blalock

Chair, Board of Supervisors
Story County, Iowa

Three (3) copies of this form will be required for each installation. A plat shall be attached to each copy submitted.



Riverside Dr

34-83-24

27-83-24

28-83-24

33-83-24

29-83-24

32-83-24

KELLY

30-83-24

31-83-24

25-83-25

36-83-25

26-83-25

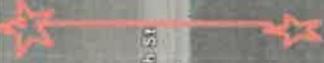
35-83-25

WASHINGTON

Naufrag

Basemap

Bore under 270th st for a new water service 1.5 service line incased in 3" pvc at a min depth of 5' No digging will take place in Row.



270th St 270th St 270th St 270th St

Crossing will be 84' West of CL of Driveway.

DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER
Prepared By: Leanne Harter, Story County Planning and Development, 900 6th Street, Nevada, IA 50201 (515) 382-7245

**Please return to:
Planning & Development**

**STORY COUNTY IOWA
ORDINANCE NO. 326
AN ORDINANCE AMENDING CHAPTER 85, GENERAL PROVISIONS AND
DEFINITIONS, CHAPTER 86, DISTRICT REQUIREMENTS, AND CHAPTER 92,
ADMINISTRATION OF THE STORY COUNTY CODE OF ORDINANCES—LAND
DEVELOPMENT REGULATIONS FOR A TEXT AMENDMENT TO ENSURE
COMPLIANCE WITH IOWA CODE**

BE IT ENACTED by the Board of Supervisors of Story County, Iowa:

Section 1. Purpose. An Ordinance amending Chapter 85—General Provisions and Definitions, Chapter 86, District Requirements, and Chapter 92, Administration of the Story County Code of Ordinances – Land Development Regulations for a Text Amendment to Ensure Compliance with Iowa Code.

Section 2. Proposed Amendments. The amendments are as shown in Attachment A of this ordinance.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be effective after its final passage, approval and publication of the ordinance or a summary thereof, as provided by law.

Action upon FIRST Consideration: APPROVED
DATE: July 8, 2025

Moved by: _____
Seconded by: _____
Voting Aye: _____
Voting Nay: _____
Not Voting: _____
Absent: _____

Action upon SECOND Consideration: WAIVED
DATE: WAIVED

Moved by: _____
Seconded by: _____
Voting Aye: _____
Voting Nay: _____
Not Voting: _____
Absent: _____

Action upon THIRD Consideration: WAIVED
DATE: WAIVED

Moved by: _____
Seconded by: _____
Voting Aye: _____
Voting Nay: _____
Not Voting: _____
Absent: _____

ADOPTED THIS 8th day of July, 2025.



Chairperson, Board of Supervisors

Attest:



County Auditor

ROLL CALL	Latifah Faisal	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
FOR ALLOWANCE	Lisa Heddens	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
	Linda Murken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>

ALLOWED BY VOTE
OF BOARD

Yea 3 Nay 0 Absent 0


CHAIRPERSON

Above tabulation made by JB

ATTACHMENT A

Proposed Amendments to Chapter 85, General Provisions and Definitions

2. "Accessory dwelling unit" means an additional residential dwelling unit located on the same parcel, tract, or lot as a single-family dwelling that is either attached to or detached from the single-family dwelling. ~~that has been added to or created within an existing single-family dwelling, or that is detached from an existing single-family dwelling on the same parcel, tract, or lot as the single-family dwelling.~~ A modular or manufactured home may be permitted as an accessory dwelling unit.

Proposed Amendments to Chapter 86, District Requirements

86.04 A-1 AGRICULTURAL DISTRICT.

L. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be ~~shall be~~ required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

4) Size and Other Design Standards.

a. The accessory dwelling unit shall not exceed ~~1,200~~ 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.

b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.

c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.

d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.

~~e. The closest wall of the accessory dwelling unit shall not be further than 200 feet from the existing single-family dwelling, unless a greater distance is necessary to avoid either the location of the existing wastewater treatment system and laterals and required setbacks therefrom or impact to critical natural resource areas, as mapped by the C2C Future Land Use Map. In these~~

~~instances, it shall be as sited as close as possible to the existing single-family dwelling while avoiding impacts to these areas.~~

~~e.f. The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.~~

~~f. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.~~

~~g. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.~~

(5) Conversion of Existing Accessory Structures.

a. Existing accessory structures conforming to the bulk requirements for accessory structures in Table 86-2, or that are legal nonconforming structures, shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-2.

b. Overhead doors, or garage doors, shall be removed from structures being converted to Accessory Dwelling Units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

86.05 A-2 AGRIBUSINESS DISTRICT.

J. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

4) Size and Other Design Standards.

- a. The accessory dwelling unit shall not exceed 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.
- b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.
- c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.
- d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.
- e. The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.
- f. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.
- g. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.

(5) Conversion of Existing Accessory Structures.

- a. Existing accessory structures conforming to the bulk requirements for accessory structures in Table 86-3, or that are legal nonconforming structures, shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-3.
- b. Overhead doors, or garage doors, shall be removed from structures being converted to Accessory Dwelling Units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

86.06 A-R AGRICULTURAL RESIDENTIAL DISTRICT.

K. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or

accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be ~~shall be~~ required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

(4) Size and Other Design Standards.

a. The accessory dwelling unit shall not exceed ~~1,200~~ 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.

b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.

c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.

d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.

~~e. The closest wall of the accessory dwelling unit shall not be further than 200 feet from the existing single-family dwelling, unless a greater distance is necessary to avoid either the location of the existing wastewater treatment system and laterals and required setbacks therefrom or impact to critical natural resource areas, as mapped by the C2C Future Land Use Map. In these instances, it shall be as sited as close as possible to the existing single-family dwelling while avoiding impacts to these areas.~~

~~ef.~~ The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.

f. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.

g. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.

(5) Conversion of Existing Accessory Structures.

a. Existing accessory structures conforming to the bulk requirements for single-family dwellings in ~~Table 86-24~~ shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-4.

b. Overhead doors, or garage doors, shall be removed from structures being converted to accessory dwelling units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

86.07 R-1 TRANSITIONAL RESIDENTIAL DISTRICT.

J. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be ~~shall be~~ required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

(4) Size and Other Design Standards.

a. The accessory dwelling unit shall not exceed ~~1,200~~ 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.

b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.

c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.

d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.

e. The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.

f. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.

g. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit,

the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.

(5) Conversion of Existing Accessory Structures.

a. Existing accessory structures conforming to the bulk requirements for single-family dwellings in Table 86-25 shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-5.

b. Overhead doors, or garage doors, shall be removed from structures being converted to Accessory Dwelling Units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

86.08 R-2 URBAN RESIDENTIAL DISTRICT.

J. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be ~~shall~~ be required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

(4) Size and Other Design Standards.

a. The accessory dwelling unit shall not exceed ~~1,200~~ 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.

b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.

c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.

d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.

e. The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.

f. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.

g. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.

(5) Conversion of Existing Accessory Structures.

a. Existing accessory structures conforming to the bulk requirements for single-family dwellings in Table 86-26 shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-6.

b. Overhead doors, or garage doors, shall be removed from structures being converted to Accessory Dwelling Units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

86.10 C-LI COMMERCIAL/LIGHT INDUSTRIAL DISTRICT.

J. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

4) Size and Other Design Standards.

- a. The accessory dwelling unit shall not exceed 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.
- b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.
- c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.
- d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.
- e. The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.
- f. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.
- g. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.

(5) Conversion of Existing Accessory Structures.

- a. Existing accessory structures conforming to the bulk requirements for accessory structures in Table 86-8, or that are legal nonconforming structures, shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-8.
- b. Overhead doors, or garage doors, shall be removed from structures being converted to Accessory Dwelling Units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

Proposed Amendments to Chapter 92 – Administration

92.03 VARIANCES.

B. Interagency and Staff Review of Application. Following submittal, including applicable filing fee, of a completed application for a variance, Planning and Development shall review application materials for compliance with the legal principles in Section 92.03(4)(D)(1) in accordance with Iowa Code Section 335.15. The application shall also undergo review by members of the Interagency Review Team.

D. Public Hearing before the Board of Adjustment and Board of Adjustment Action. Following completion of interagency and staff review of the application for a variance, a staff report setting forth findings of fact concerning the application's conformance to the legal principles in Section 92.03(4)(D)(1) of this chapter in accordance with Iowa Code Section 335.15 and any recommendations for requirements or conditions to be imposed shall be prepared by Planning and Development staff and placed on the Board of Adjustment agenda. The staff report shall be presented by the Planning and Development staff at the Board of Adjustment meeting. Any person may submit comments or request to speak on the items prior to the start of the meeting. The public hearing shall be scheduled according to standard agenda procedures. After reviewing the application at a public hearing, the Board of Adjustment shall determine whether it concurs in whole or in part with the staff's proposed findings and recommendations. To the extent the Board does not concur, the Board shall propose its own findings of fact concerning the application's conformance to the legal principles in Section 92.03(4)(D)(1) of this chapter in accordance with Iowa Code Section 335.15 or recommendations and provide supporting reasons. The Board of Adjustment shall make a motion regarding compliance or noncompliance of the application to the legal principles, and such motion becomes the official decision of the Board of Adjustment.

E. Any such motion regarding compliance or noncompliance of the application to the legal principles shall specify the supporting reasons for the motion. To the extent the Board does not concur with staff's findings and recommendations, the Board shall propose its own findings of fact concerning the application's conformance to the legal principles in Section 92.03(4)(D)(1) of this chapter in accordance with Iowa Code Section 335.15 or recommendations and provide supporting reasons, including, but not limited to new facts or evidence presented at the public hearing. It shall be presumed that the Board adopts staff's findings and recommendations if the Board does not specifically make a motion regarding the compliance or noncompliance of the application of the legal principles.

F. The Board of Adjustment may attach a condition to a variance that limits the duration of said variance or other condition related to the legal principles in Section 92.03(4)(D)(1) in accordance with Iowa Code Section 335.15.

Staff Report

Story County Board of Supervisors



Date of Meeting: July 8, 2025

Staff Project Manager: Leanne Harter

Case Number: TA25-000003

Name of Text Amendment Case: Accessory Dwelling Units (ADU) and Variances Text Amendments

Applicant(s): Story County Planning and Development

REQUESTED ACTION

The request is to amend the language of the definition of golf course as permitted in Section 92.07 Amending the Text of the Land Development Regulations of the *Story County Code of Ordinances*.

RECOMMENDATION

All requirements for a Text Amendment request are met. Planning and Development staff recommend approval.

The Story County Planning and Zoning Commission meeting to consider the proposed text amendment is scheduled for Wednesday, July 2nd, prior to the agenda deadline for the Board of Supervisors. The Commission's recommendation will be presented to the Board on July 8th.

Background

Description of Proposed Text Amendment

The applicant submitted a Code of Ordinance text amendment request proposing to Amend Chapter 85, General Provisions and Definitions, Chapter 86, District Requirements, and Chapter 92, Administration, of the Story County Code of Ordinances - Land Development Regulations for a Text Amendment to Ensure Compliance with Iowa Code.

With the passage of Senate File 592, addressing local regulations regarding Accessory Dwelling Units (ADU) and House File 652 addressing variance requirements, by the Iowa General Assembly and signed by Governor Reynolds earlier this year, changes to the adopted Code of Ordinances are necessitated. The new rules as adopted by the State of Iowa are effective as of July 1, 2025.

The applicable requirements are outlined below.

Analysis

92.07(2) Standards for Approval. All applications for text amendments shall satisfy the following standards for such requested action to be approved.

- A. The proposed amendment shall conform to the Story County Cornerstone to Capstone Plan (C2C Plan).
- B. The proposed amendment shall conform to the scope and purpose of the Ordinance.



The proposed text amendment is consistent with the criteria outlined in Section 92.07 of the *Story County Code of Ordinances* as noted below:

- All requirements are satisfied.
- Not all requirements are satisfied and those exceptions are noted below:

The proposed Text Amendments are attached to this staff report.

Commentary

The following comments are part of the official record of the proposed text amendment, Case No. TA25-000003. If necessary, conditions of approval may be formulated based on these comments.

Comments from the General Public

No public commentary was received or recorded at the time this report was published. Notice of the proposed text amendment was published in the three Story County newspapers on June 26, 2025.

An email was sent to the Planning and Zoning Commission and forwarded to the Board of Supervisors. The content of that email is outlined below.

I'm concerned about how Story County's regulations regarding ADUs match with the new state law, specifically about the 200 ft distance restriction from the primary residence. When Story County first added ADU regulations there was a lot of discussion about the 200 feet distance being too restrictive. As I recall, the 200 feet number seemed to be an arbitrary number chosen by the staff that was not fully explained. I have read part of the new state bill and the phrase below seems to conflict with Story County's regulations regarding the 200 feet restriction:

b. Except as otherwise provided in paragraph or by state law, a county shall not impose any of the following limitations or restrictions:

(1) Requirements related to the placement or appearance of an accessory dwelling unit that are more restrictive than those imposed on a single family residence...

Wouldn't the passage above about placement in (1) negate the 200 feet regulation currently included in Story County's regulations?

I have tried to reach Leanne Harter about this question, but have been unable to connect with her. I'm emailing the commission members because I can't attend tomorrow's meeting and I wanted you to be aware of this concern. Please remove the 200 ft restrictions from ADU regulations. Thank you!

From Becky Christiansen, 2985 South Dakota Avenue, Ames, Iowa 50014.

Alternatives

The meeting of the Planning and Zoning Commission is scheduled for July 2, 2025. The recommendation of the Commission will be presented to the Board of Supervisors on July 8, 2025.

Planning and Development Staff recommend approval of the text amendment. The Story County Board of Supervisors may consider the following alternatives for the text amendment request:



1. **The Story County Board of Supervisors approves the Code of Ordinance Text Amendment, Ordinance 326, as put forth in case TA25-000003 on first consideration and waives second and third considerations.**
2. The Story County Board of Supervisors approves the Code of Ordinance Text Amendment, Ordinance 326, as put forth in case TA25-000003 and modified and waives second and third considerations.
3. The Story County Board of Supervisors denies the Code of Ordinance Text Amendment, Ordinance 326, as put forth in case TA25-000003 and sets second consideration for Tuesday, July 15, 2025.
4. The Story County Board of Supervisors defers action on the Code of Ordinance Text Amendment, as put forth in case TA25-000003, and requests the applicant and/or staff to further review and/or modify the application and directs staff to place this item on a future Board of Supervisors Agenda.

Attachments to the Staff Report

- Submitted application, narrative and plans
- Public Comments
- Written responses from applicants to comments (if applicable)
- Legal Description
- Other **Attachment A - Draft regulations**



ATTACHMENT A

Proposed Amendments to Chapter 85, General Provisions and Definitions

2. "Accessory dwelling unit" means an additional residential dwelling unit located on the same parcel, tract, or lot as a single-family dwelling that is either attached to or detached from the single-family dwelling. ~~that has been added to or created within an existing single family dwelling, or that is detached from an existing single family dwelling on the same parcel, tract, or lot as the single family dwelling.~~ A modular or manufactured home may be permitted as an accessory dwelling unit.

Proposed Amendments to Chapter 86, District Requirements

86.04 A-1 AGRICULTURAL DISTRICT.

L. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be ~~shall be~~ required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

4) Size and Other Design Standards.

a. The accessory dwelling unit shall not exceed ~~1,200~~ 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.

b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.

c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.

d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.

e. The closest wall of the accessory dwelling unit shall not be further than 200 feet from the existing single-family dwelling, unless a greater distance is necessary to avoid either the location of the existing wastewater treatment system and laterals and required setbacks therefrom or impact to critical natural resource areas, as mapped by the C2C Future Land Use Map. In these instances, it shall be as sited as close as possible to the existing single-family dwelling while avoiding impacts to these areas.

f. The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.

g. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.

h. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.

(5) Conversion of Existing Accessory Structures.

a. Existing accessory structures conforming to the bulk requirements for accessory structures in Table 86-2, or that are legal nonconforming structures, shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-2.

b. Overhead doors, or garage doors, shall be removed from structures being converted to Accessory Dwelling Units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

86.05 A-2 AGRIBUSINESS DISTRICT.

J. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

4) Size and Other Design Standards.

a. The accessory dwelling unit shall not exceed 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.

b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.

- c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.
- d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.
- e. The closest wall of the accessory dwelling unit shall not be further than 200 feet from the existing single-family dwelling, unless a greater distance is necessary to avoid either the location of the existing wastewater treatment system and laterals and required setbacks therefrom or impact to critical natural resource areas, as mapped by the C2C Future Land Use Map. In these instances, it shall be as sited as close as possible to the existing single-family dwelling while avoiding impacts to these areas.
- f. The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.
- g. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.
- h. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.

(5) Conversion of Existing Accessory Structures.

- a. Existing accessory structures conforming to the bulk requirements for accessory structures in Table 86-3, or that are legal nonconforming structures, shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-3.
- b. Overhead doors, or garage doors, shall be removed from structures being converted to Accessory Dwelling Units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

86.06 A-R AGRICULTURAL RESIDENTIAL DISTRICT.

K. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be ~~shall be~~ required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

(4) Size and Other Design Standards.

a. The accessory dwelling unit shall not exceed ~~1,200~~ 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.

b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.

c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.

d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.

e. The closest wall of the accessory dwelling unit shall not be further than 200 feet from the existing single-family dwelling, unless a greater distance is necessary to avoid either the location of the existing wastewater treatment system and laterals and required setbacks therefrom or impact to critical natural resource areas, as mapped by the C2C Future Land Use Map. In these instances, it shall be as sited as close as possible to the existing single-family dwelling while avoiding impacts to these areas.

f. The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.

g. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.

h. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.

(5) Conversion of Existing Accessory Structures.

a. Existing accessory structures conforming to the bulk requirements for single-family dwellings in Table 86-24 shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-4.

b. Overhead doors, or garage doors, shall be removed from structures being converted to accessory dwelling units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

86.07 R-1 TRANSITIONAL RESIDENTIAL DISTRICT.

J. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be ~~shall be~~ required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

(4) Size and Other Design Standards.

a. The accessory dwelling unit shall not exceed ~~1,200~~ 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.

b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.

c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.

d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.

e. The closest wall of the accessory dwelling unit shall not be further than 200 feet from the existing single-family dwelling, unless a greater distance is necessary to avoid either the location of the existing wastewater treatment system and laterals and required setbacks therefrom or impact to critical natural resource areas, as mapped by the C2C Future Land Use Map. In these instances, it shall be as sited as close as possible to the existing single-family dwelling while avoiding impacts to these areas.

f. The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.

g. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.

h. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.

(5) Conversion of Existing Accessory Structures.

- a. Existing accessory structures conforming to the bulk requirements for single-family dwellings in Table 86-25 shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-5.
- b. Overhead doors, or garage doors, shall be removed from structures being converted to Accessory Dwelling Units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

86.08 R-2 URBAN RESIDENTIAL DISTRICT.

J. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be ~~shall be~~ required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

(4) Size and Other Design Standards.

- a. The accessory dwelling unit shall not exceed ~~1,200~~ 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.
- b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.
- c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.
- d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.
- e. The closest wall of the accessory dwelling unit shall not be further than 200 feet from the existing single-family dwelling, unless a greater distance is necessary to avoid either the location of the existing wastewater treatment system and laterals and required setbacks therefrom or impact to critical natural resource areas, as mapped by the C2C Future Land Use Map. In these

instances, it shall be as sited as close as possible to the existing single-family dwelling while avoiding impacts to these areas.

f. The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.

g. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.

h. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.

(5) Conversion of Existing Accessory Structures.

a. Existing accessory structures conforming to the bulk requirements for single-family dwellings in Table 86-26 shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-6.

b. Overhead doors, or garage doors, shall be removed from structures being converted to Accessory Dwelling Units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

86.10 C-LI COMMERCIAL/LIGHT INDUSTRIAL DISTRICT.

J. An accessory dwelling unit conforming to the requirements specified herein:

(1) Zoning Permit Required. A zoning permit shall be submitted for any accessory dwelling unit, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein.

(2) Wastewater and Water facilities. The accessory dwelling unit shall be provided with wastewater and water facilities. A septic permit application shall be required to be submitted to the Environmental Health Department for all accessory dwelling units, including when an existing single-family dwelling or accessory structure is modified to create an accessory dwelling unit therein, prior to issuance of the zoning permit for an accessory dwelling unit.

(3) 911 Address Required. The accessory dwelling unit shall have an established 911 address that is separate from the 911 address of the existing single-family dwelling. An application for a 911 address shall be required to be submitted for all accessory dwelling units prior to issuance of the zoning permit for an accessory dwelling unit.

4) Size and Other Design Standards.

a. The accessory dwelling unit shall not exceed 1,000 square feet in gross floor area or fifty percent of the size of the single-family dwelling, whichever is larger. This does not include finished or unfinished basements.

b. The accessory dwelling unit shall have a paved or gravel access leading to the parking for the unit, unless the accessory dwelling unit shares parking with the existing single-family dwelling. A separate garage for an accessory dwelling unit shall not be larger than 600 square feet.

c. There shall not be more than one accessory dwelling unit per parcel, tract, or lot.

d. The accessory dwelling unit shall meet all applicable bulk requirements for single-family dwellings within the zoning district, including for setbacks and height.

e. The closest wall of the accessory dwelling unit shall not be further than 200 feet from the existing single-family dwelling, unless a greater distance is necessary to avoid either the location of the existing wastewater treatment system and laterals and required setbacks therefrom or impact to critical natural resource areas, as mapped by the C2C Future Land Use Map. In these instances, it shall be as sited as close as possible to the existing single-family dwelling while avoiding impacts to these areas.

f. The accessory dwelling shall contain at least one window on an exterior wall in every bedroom that is no smaller than 5.7 square feet.

g. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code Chapter 103A.

h. If a manufactured home as defined in Iowa Code Section 435.1, Subsection 3, or a mobile home as defined in Iowa Code Section 435.1, Subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to Iowa Code Section 435.26.

(5) Conversion of Existing Accessory Structures.

a. Existing accessory structures conforming to the bulk requirements for accessory structures in Table 86-8, or that are legal nonconforming structures, shall be permitted to be converted to an accessory dwelling unit. Additions to a converted accessory structure shall meet the bulk requirements for a single-family dwelling in Table 86-8.

b. Overhead doors, or garage doors, shall be removed from structures being converted to Accessory Dwelling Units and shall be replaced with a new, matching facade. This requirement only applies to the portions of a structure being converted to living space for the accessory dwelling unit.

(6) Division of land. The division of land to separate the accessory dwelling unit onto a separate parcel, lot, or tract than the existing single-family dwelling unit shall not be permitted.

Proposed Amendments to Chapter 92 – Administration

92.03 VARIANCES.

B. Interagency and Staff Review of Application. Following submittal, including applicable filing fee, of a completed application for a variance, Planning and Development shall review application materials for compliance with the legal principles in Section 92.03(4)(D)(1) in accordance with Iowa Code Section 335.15. The application shall also undergo review by members of the Interagency Review Team.

D. Public Hearing before the Board of Adjustment and Board of Adjustment Action. Following completion of interagency and staff review of the application for a variance, a staff report setting forth findings of fact concerning the application's conformance to the legal principles in Section 92.03(4)(D)(1) of this chapter and in accordance with Iowa Code Section 335.15 and any recommendations for requirements or conditions to be imposed shall be prepared by Planning and Development staff and placed on the Board of Adjustment agenda. The staff report shall be presented by the Planning and Development staff at the Board of Adjustment meeting. Any person may submit comments or request to speak on the items prior to the start of the meeting. The public hearing shall be scheduled according to standard agenda procedures. After reviewing the application at a public hearing, the Board of Adjustment shall determine whether it concurs in whole or in part with the staff's proposed findings and recommendations. To the extent the Board does not concur, the Board shall propose its own findings of fact concerning the application's conformance to the legal principles in Section 92.03(4)(D)(1) of this chapter and in accordance with Iowa Code Section 335.15 or recommendations and provide supporting reasons. The Board of Adjustment shall make a motion regarding compliance or noncompliance of the application to the legal principles, and such motion becomes the official decision of the Board of Adjustment.

E. Any such motion regarding compliance or noncompliance of the application to the legal principles shall specify the supporting reasons for the motion. To the extent the Board does not concur with staff's findings and recommendations, the Board shall propose its own findings of fact concerning the application's conformance to the legal principles in Section 92.03(4)(D)(1) of this chapter and in accordance with Iowa Code Section 335.15 or recommendations and provide supporting reasons, including, but not limited to new facts or evidence presented at the public hearing. It shall be presumed that the Board adopts staff's findings and recommendations if the Board does not specifically make a motion regarding the compliance or noncompliance of the application of the legal principles.

F. The Board of Adjustment may attach a condition to a variance that limits the duration of said variance or other condition related to the legal principles in Section 92.03(4)(D)(1) and in accordance with Iowa Code Section 335.15.



STATE OF IOWA
KIM REYNOLDS
GOVERNOR

April 25, 2025

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

House File 652, an Act concerning county and city regulation of real property and the powers granted to a board of adjustment.

The above House File is hereby approved on this date.

Sincerely,

A handwritten signature in black ink that reads "Kim Reynolds".

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



House File 652

AN ACT
CONCERNING COUNTY AND CITY REGULATION OF REAL PROPERTY AND THE
POWERS GRANTED TO A BOARD OF ADJUSTMENT.

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

Section 1. Section 335.15, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations 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 practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance, and so that the spirit of the ordinance shall be observed and substantial justice done. Area, dimensional, or other numerical limitations subject to variances include but are not limited to requirements for minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. To receive the requested area, dimensional, or other numerical variance, the property owner must prove that the practical difficulties faced are unique to the property at issue and not self-created and must also demonstrate that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

Sec. 2. Section 414.12, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 4. To authorize on appeal, in specific cases, such variance from the terms of the ordinance with respect to the area, dimensional, or other numerical limitations 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 practical difficulties to the property owner in making a beneficial use of the property allowed by the zoning ordinance, and so that the spirit of the ordinance shall be observed and substantial justice done. Area, dimensional, or other numerical limitations subject to variances include but are not limited to requirements for minimum lot size, setbacks, yard widths, height, bulk, sidewalks, fencing, signage, and off-street parking. To receive the requested area, dimensional, or other numerical variance, the property owner must prove that the practical difficulties faced are unique to the property at issue and not self-created and must also demonstrate that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

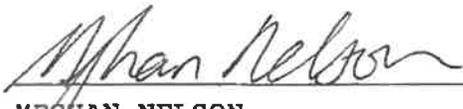


PAT GRASSLEY
Speaker of the House



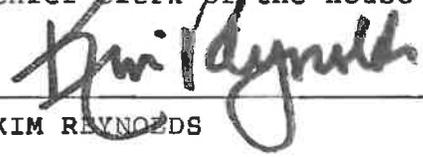
AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 652, Ninety-first General Assembly.



MEGHAN NELSON
Chief Clerk of the House

Approved April 25th, 2025



KIM REYNOLDS
Governor



STATE OF IOWA
KIM REYNOLDS
GOVERNOR

May 1, 2025

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

Senate File 592, an Act relating to county and city regulation of accessory dwelling units.

The above Senate File is hereby approved on this date.

Sincerely,

A handwritten signature in black ink that reads "Kim Reynolds".

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



Senate File 592

AN ACT

RELATING TO COUNTY AND CITY REGULATION OF ACCESSORY DWELLING
UNITS.

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

Section 1. Section 331.301, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 27. *a.* A county shall allow a minimum of one accessory dwelling unit on the same lot as a single family residence in accordance with the following conditions:

- (1) An accessory dwelling unit shall comply with all applicable building regulations as defined in chapter 103A.
- (2) An accessory dwelling unit shall not exceed one thousand square feet or fifty percent of the size of the single family residence, whichever is larger.
- (3) An accessory dwelling unit shall be prohibited or limited only to the extent that a state historic building code restriction, as adopted by a county in accordance with section 103A.43, subsection 3, a deed restriction, or a rule of a common interest community, as defined in section 499C.1, limits or prohibits the construction or use of an accessory dwelling unit. The imposition of an ordinance, motion, resolution, or amendment regulating accessory dwelling units that is more restrictive when applied to a common interest community than when applied to a single family residence is prohibited.
- (4) If a manufactured home as defined in section 435.1, subsection 3, or a mobile home as defined in section 435.1,

subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to section 435.26.

b. Except as otherwise provided in paragraph "a" or by state law, a county shall not impose any of the following limitations or restrictions:

(1) Requirements related to the placement or appearance of an accessory dwelling unit that are more restrictive than those imposed on a single family residence including but not limited to the following: maximum building heights; minimum setback requirements; minimum lot sizes; minimum building frontages; maximum lot coverages; density requirements; and aesthetic or architectural standards or requirements. Additionally, a county shall not require an accessory dwelling unit to match the exterior design, roof pitch, or finishing materials of the single family residence.

(2) Regulations on the use of an accessory dwelling unit as a rental property that are more restrictive than those provided for in subsection 18 of this section and chapter 562A.

(3) A requirement that the lot containing a single family residence and an accessory dwelling unit have additional parking beyond that required for a single family residence or payment of a fee in lieu of providing additional parking.

(4) Restrictions on the occupancy of either the single family residence or the accessory dwelling unit by any of the following manners: requiring the property owner to be a resident; requiring a familial, marital, or employment relationship to exist between the occupants of the single family residence and the occupants of the accessory dwelling unit; or restricting the occupancy of an accessory dwelling unit based on income or age.

(5) The requirement of new or separate utility lines between the accessory dwelling unit and public utility service connections. However, if full utility access that includes a separate metering system for billing purposes cannot be provided to the accessory dwelling unit, then the county can require new or separate utility lines.

(6) Imposition of a different county impact fee structure or

development standard for an accessory dwelling unit than those used for the single family residence on the same lot.

(7) The requirement of improvements or repairs to public streets or sidewalks beyond those imposed on the single family residence on the same lot.

c. A county shall approve an accessory dwelling unit permit application that meets the requirements set forth in paragraph "a" and by state law without discretionary review or hearing and consistent with the time frame assigned to the approval of a single family residence. An accessory dwelling unit permit application shall not have a review timeline or schedule in excess of a county's normal review schedule for a single family residence. If the county denies an accessory dwelling unit permit, the reason for denial shall be provided in writing to the applicant and include any remedy necessary to secure approval.

d. A county ordinance, motion, resolution, or amendment regulating accessory dwelling units in a manner that conflicts with this subsection is void. Nothing in this subsection prohibits a county from adopting an ordinance, motion, resolution, or amendment that is more permissive than the requirements provided in this subsection.

e. For the purposes of this subsection:

(1) "*Accessory dwelling unit*" means 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.

(2) "*Detached*" includes being part of any accessory structure such as a detached garage.

(3) "*Dwelling unit*" means the same as defined in section 562A.6, subsection 3.

(4) "*Single family residence*" means the same as defined in section 562A.6, subsection 15, except to the extent that a single family residence may share utility lines with the accessory dwelling unit if full utility access that includes a separate metering system for billing purposes can be provided to the accessory dwelling unit.

Sec. 2. Section 364.3, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 20. a. A city shall allow a minimum of one accessory dwelling unit on the same lot as a single family residence in accordance with the following conditions:

(1) An accessory dwelling unit shall comply with all applicable building regulations as defined in chapter 103A.

(2) An accessory dwelling unit shall not exceed one thousand square feet or fifty percent of the size of the single family residence, whichever is larger.

(3) An accessory dwelling unit shall be prohibited or limited only to the extent that a state historic building code restriction, as adopted by a city in accordance with section 103A.43, subsection 3, a deed restriction, or a rule of a common interest community, as defined in section 499C.1, limits or prohibits the construction or use of an accessory dwelling unit. The imposition of an ordinance, motion, resolution, or amendment regulating accessory dwelling units that is more restrictive when applied to a common interest community than when applied to a single family residence is prohibited.

(4) If a manufactured home as defined in section 435.1, subsection 3, or a mobile home as defined in section 435.1, subsection 5, is used as an accessory dwelling unit, the manufactured home or mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to section 435.26.

b. Except as otherwise provided in paragraph "a" or by state law, a city shall not impose any of the following limitations or restrictions:

(1) Requirements related to the placement or appearance of an accessory dwelling unit that are more restrictive than those imposed on a single family residence including but not limited to the following: maximum building heights; minimum setback requirements; minimum lot sizes; minimum building frontages; maximum lot coverages; density requirements; and aesthetic or architectural standards or requirements. Additionally, a city shall not require an accessory dwelling unit to match the exterior design, roof pitch, or finishing materials of the single family residence.

(2) Regulations on the use of an accessory dwelling unit as a rental property that are more restrictive than those provided

for in subsections 9 and 16 of this section, section 414.1, subsection 1, paragraph "e", and chapter 562A.

(3) A requirement that the lot containing a single family residence and an accessory dwelling unit have additional parking beyond that required for a single-family residence or payment of a fee in lieu of providing additional parking.

(4) Restrictions on the occupancy of either the single family residence or the accessory dwelling unit by any of the following manners: requiring the property owner to be a resident; requiring a familial, marital, or employment relationship to exist between the occupants of the single family residence and the occupants of the accessory dwelling unit; or restricting the occupancy of an accessory dwelling unit based on income or age.

(5) A requirement of new or separate utility lines between the accessory dwelling unit and public utility service connections. However, if full utility access that includes a separate metering system for billing purposes cannot be provided to the accessory dwelling unit, then the city can require new or separate utility lines.

(6) Imposition of a different city impact fee structure or development standard for an accessory dwelling unit than those used for the single family residence on the same lot.

(7) The requirement of improvements or repairs to public streets or sidewalks beyond those imposed on the single family residence on the same lot.

c. A city shall approve an accessory dwelling unit permit application that meets the requirements set forth in paragraph "a" and by state law without discretionary review or hearing and consistent with the time frame assigned to the approval of a single family residence. An accessory dwelling unit permit application shall not have a review timeline or schedule in excess of a city's normal review schedule for a single family residence. If the city denies an accessory dwelling unit permit, the reason for denial shall be provided in writing to the applicant and include any remedy necessary to secure approval.

d. A city ordinance, motion, resolution, or amendment regulating accessory dwelling units in a manner that conflicts

with this subsection is void. Nothing in this subsection prohibits a city from adopting an ordinance, motion, resolution, or amendment that is more permissive than the requirements provided in this subsection.

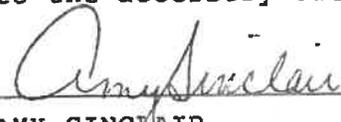
e. For the purposes of this subsection:

(1) "Accessory dwelling unit" means 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.

(2) "Detached" includes being part of an accessory structure such as a detached garage.

(3) "Dwelling unit" means the same as defined in section 562A.6, subsection 3.

(4) "Single family residence" means the same as defined in section 562A.6, subsection 15, except to the extent that a single family residence may share utility lines with the accessory dwelling unit if full utility access that includes a separate metering system for billing purposes can be provided to the accessory dwelling unit.



AMY SINCLAIR
President of the Senate

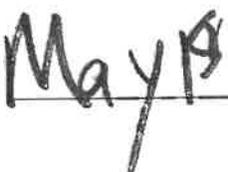


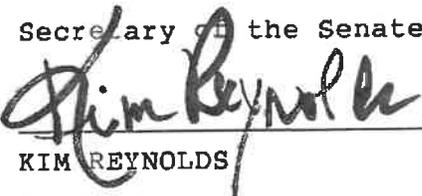
PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 592, Ninety-first General Assembly.



W. CHARLES SMITHSON
Secretary of the Senate

Approved  , 2025



KIM REYNOLDS
Governor



Story County Emergency Operations Center

4 Options Cost Opinion

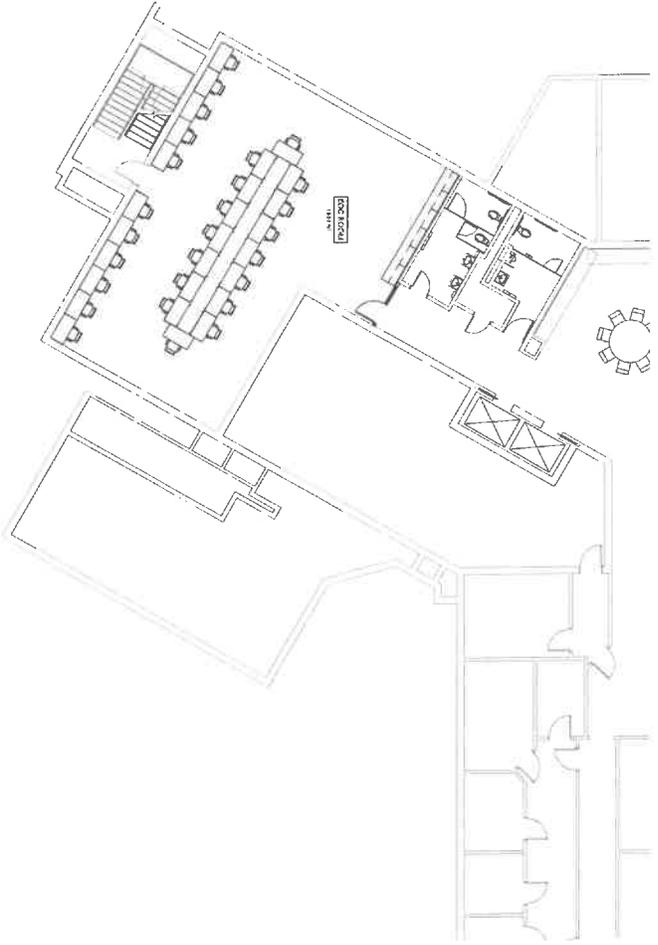
Design Status: Schematic Design

	Units (SF)	\$/SF	
<hr/>			
A. Option 1 - Large EOC, EOC Offices to Assessor Conf Room			
1. EOC Remodeling	1,580	\$225	\$355,500
2. Office Remodeling	775	\$175	\$135,625
			<u>\$491,125</u>
<hr/>			
B. Option 2a - Large EOC, EOC Offices to Facilities, Facilities to Mosaic			
1. EOC Remodeling	1,580	\$225	\$355,500
2. EOC Office Remodeling	735	\$50	\$36,750
3. Facilities Office Remodeling at Mosaic	1,150	\$300	\$345,000
* does not include RR or any support spaces			<u>\$737,250</u>
<hr/>			
C. Option 2b - Large EOC, EOC Offices to Facilities, Facilities to HSC			
1. EOC Remodeling	1,580	\$225	\$355,500
2. EOC Office Remodeling	735	\$50	\$36,750
3. Facilities Office Remodeling at HSC	820	\$175	\$143,500
			<u>\$535,750</u>
<hr/>			
D. Option 3 - Large EOC, EOC Office and HR Offices to 2nd Floor Admin Bldg			
1. EOC Remodeling	1,580	\$225	\$355,500
2. EOC and HR Office Remodeling	1,175	\$175	\$205,625
* frees up 3 offices in BOS office			<u>\$561,125</u>
<hr/>			
E. Option 4 - Minimal EOC			
1. EOC Remodeling	960	\$225	\$216,000

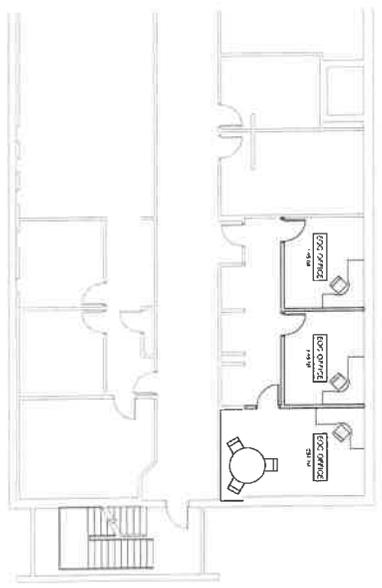
Direction
APPROVED **DENIED**

Board Member Initials: AKH
 Meeting Date: 7-8-25
 Follow-up action: option #4

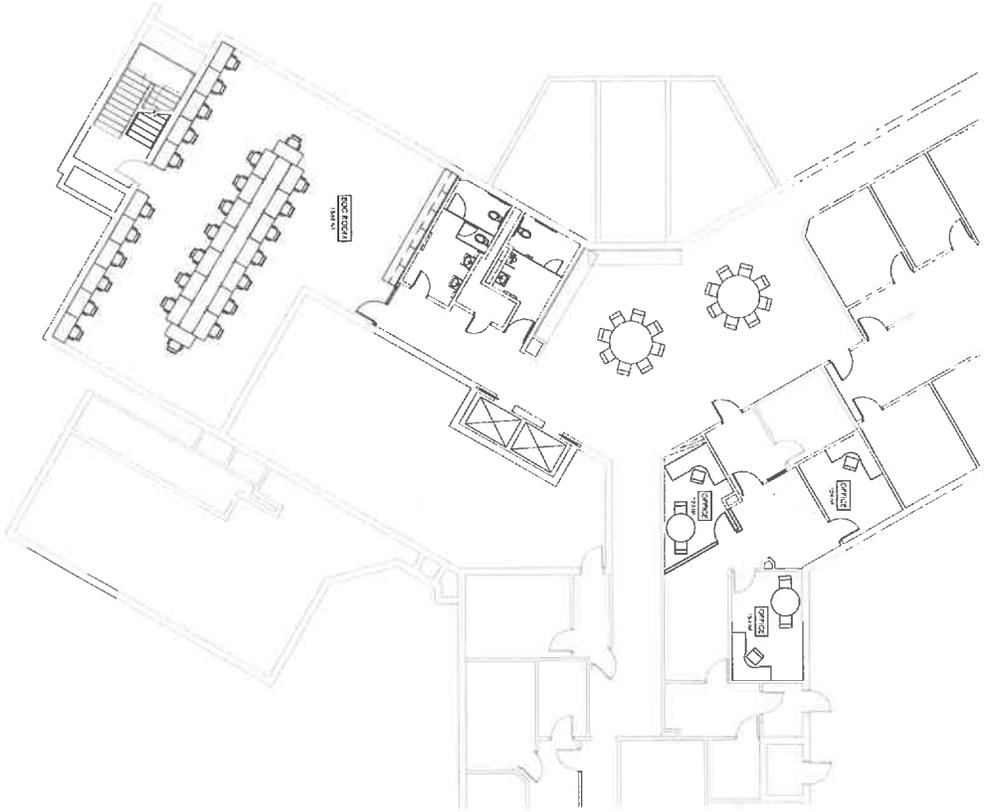
1 BSMNT FLOOR PLAN - ADMIN BLDG OPT 1
1/8" = 1'-0"



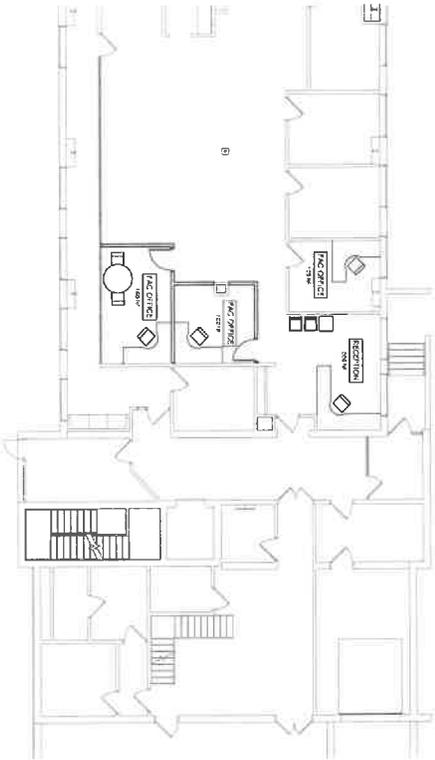
2 1ST FLOOR PLAN - ADMIN BLDG OPT 1
1/8" = 1'-0"



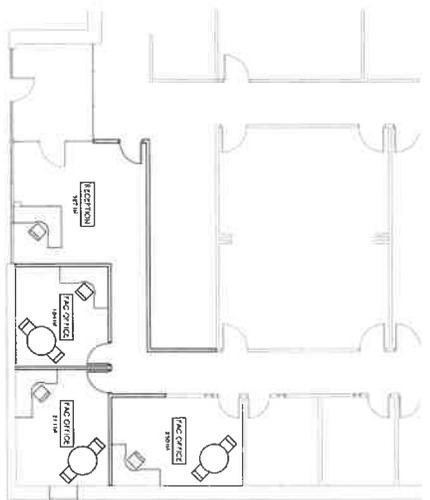
1 BSMNT FLOOR PLAN - ADMIN BLDG OPT 2
1/8" = 1'-0"



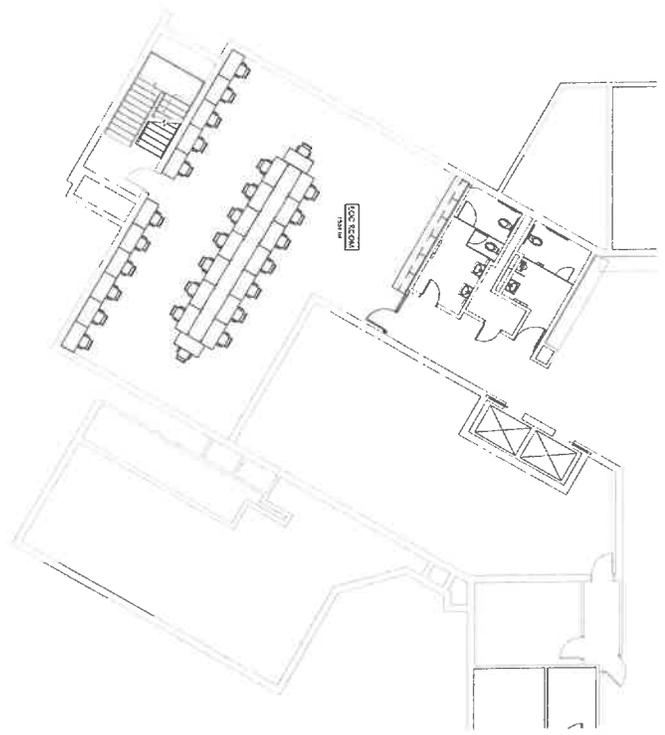
3 FACILITIES RELOCATION - HSC OPT 2B
1/8" = 1'-0"



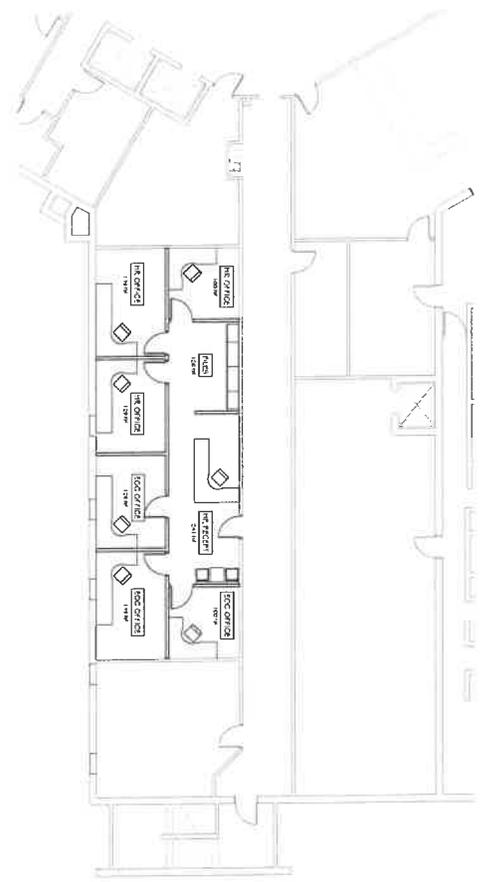
2 FACILITIES RELOCATION - MOSAIC OPT 2A
1/8" = 1'-0"



1 BSMNT FLOOR PLAN - ADMIN BLDG OPT 3
1/8" = 1'-0"



2 2ND FLR - ADMIN OPT 3
1/8" = 1'-0"



1 BSMNT FLOOR PLAN - ADMIN BLDG OPT 4
1/8" = 1'-0"

