

## BOARD OF SUPERVISORS MEETING

### Meeting Notice Tama County Board of Supervisors Mon., Jan. 26, 2026

Meetings may also be available online for viewing and/or participating in by clicking the below link barring no power, internet, or equipment failure or other unforeseen circumstances. Meetings will still be held if there is no electronic availability.

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#### Agenda Schedule

**\*\* Agenda is not printed in any particular order, only time specific items will be addressed at certain times**

8:30AM Call to Order, Pledge of Allegiance  
Approve agenda

Public comments-This time is set aside for public comments on County business topics. To be recognized raise your hand or stand. After recognition by the Chair, state your name and address. You may speak one time per issue. If the comment is for an item not on the agenda, please understand the Board of Supervisors will not act on your comments at this meeting due to the Open Meetings Law requirements but may do so at a future board meeting by placing it on the agenda. The Chair and Board members welcome comments from the public; however, all comments must be directed to the board and not others in attendance; keep your comments germane; it is not appropriate to use profane, obscene, or slanderous language. No personal attacks will be allowed. The Chair may limit each speaker to three minutes.

Discuss/Approve 1/20/26 regular minutes

Engineer-road projects report

Discussion/possible action on utility permit for ITC Midwest, LLC

Discussion/possible action to reassign Tax Sale Certificate #19-00203 to Daniela Morejon

Discussion/possible action to vote for candidate for USDA Representativie and authorize chairman to sign

Discussion/possible action to set public hearing dates to amend Ordinance 6.1-1998 Tama County Zoning Ordinance

9:30AM Homebase Iowa Designation Ceremony

Discussion/approve claims

Public comments

New Business:

Discussion/possible action: Supervisor reports

Adjourn

**Board of Supervisors Minutes**  
**January 20, 2026**

The Tama County Board of Supervisors met at 8:30 a.m. January 20, 2026. Present: 1st District Supervisor, Curt Hilmer; 2nd District Supervisor, David Turner; 3rd District Supervisor, Heather Knebel; 4th District Supervisor, Mark Doland and 5th District Supervisor, Curt Kupka. Also, Tama County Auditor, Karen Rohrs, and members of the public.

The Pledge of Allegiance was recited.

Motion by Kupka, seconded by Turner to approve the agenda. Discussion: None. All voted aye. Motion carried.

Public Comments: There were no comments from the public. Public comment time closed at 8:30 am.

Motion by Knebel, seconded by Hilmer to approve the minutes of the January 12<sup>th</sup> regular meeting. Discussion: None. All voted aye. Motion carried.

The Board met with Ben Daleske, Tama County Engineer, to get a road projects report. Daleske also presented a utility permit for Iowa Regional Utilities Association. Motion by Kupka, seconded by Turner to approve the utility permit and to approve the chairman to sign the permit. Discussion: None. All voted aye. Motion carried.

Doland stated that the Board had received a resignation letter from Daleske on January 15<sup>th</sup>. Motion by Knebel, seconded by Turner to accept the resignation of the county engineer, Ben Daleske. Discussion: The Board thanked him and wished him the best. All voted aye. Motion carried.

The Board discussed next steps for replacing the County Engineer and agreed to post the position, with the possibility of sharing an engineer with another county.

Curtis Behrens, Tama County Conservation Director, was present to give a conservation annual report. Motion by Turner, seconded by Kupka to approve the conservation annual report. Discussion: None. All voted aye. Motion carried.

Auditor Rohrs informed the Board that there is to be a Drainage District 1 Election on Saturday, January 24<sup>th</sup>. She asked the Board to set the canvass date and time for Monday, January 26, 2026, at 8:15 am. Motion by Knebel, seconded by Kupka to approve setting the Drainage District 1 Election Canvass for Monday, January 26, 2026, at 8:15 am. Discussion: None. All voted aye. Motion carried.

Motion by Knebel, seconded by Kupka to approve the Auditor's Quarterly Report. Discussion: None. All voted aye. Motion carried.

Motion by Turner, seconded by Hilmer to approve the Treasurer's Semi-Annual Report. Discussion: None. All voted aye. Motion carried.

Tama County Treasurer would like approval from the Board to open a bank account at WCF Financial Bank for the county's health fund and to transfer the health fund's balance from Lincoln Savings Bank to WCF Financial Bank. Motion by Hilmer, seconded by Turner to approve the treasurer opening a bank account at WCF Financial Bank for the county's health fund and to transfer the health fund's balance from Lincoln Savings Bank to WCF Financial Bank. Discussion: None. All voted aye. Motion carried.

Motion by Turner, seconded by Kupka to authorize the following Tama County representatives as signers on the new county health fund account with WCF Financial Bank: Karen Rohrs, Auditor, Amanda Kriegel, Treasurer, and Sara Gilbert, Treasurer Tax Assistant. Discussion: None. All voted aye. Motion carried.

The treasurer would like the Board to increase the amount she is able to deposit into the WCF Financial Bank from \$5 million to \$10 million and to decrease the amount at Lincoln Savings Bank from \$15 million to \$2 million. Motion by Turner, seconded by Hilmer to approve the following resolution. Discussion: None.

#### **RESOLUTION 1-20-2026A**

BE IT RESOLVED, that the Tama County Board of Supervisors hereby resolves to authorize the County Treasurer to deposit county funds in the following banks and set the amounts as follows:

WCF Financial Bank, Toledo	10,000,000
Lincoln Savings Bank, Tama	2,000,000

Roll Call Vote: Hilmer, aye. Turner, aye. Knebel, aye. Doland, aye. Kupka, aye. Resolution passed and adopted this 20th day of January, 2026. Mark Doland, Chairman, Board of Supervisors. Karen Rohrs, County Auditor.

Doland provided an explanation of the Home Base program. Motion by Hilmer, seconded by Knebel to approve the following resolution pertaining to Tama County becoming a Home Base Iowa County. Discussion: It was stated that this will be good for the county and that a ceremony will be held at next Monday's meeting at 9:30 am.

#### **RESOLUTION 1-20-2026B**

Tama County, Iowa – Home Base Iowa Resolution (Revised January 20, 2026)

WHEREAS, Tama County, Iowa, is committed to supporting, welcoming, and encouraging the successful transition of U.S. military veterans and their families to civilian life; and

WHEREAS, Home Base Iowa (HBI) is a statewide initiative that connects veterans, transitioning service members, and their families with career opportunities, education, and community resources throughout Iowa; and

WHEREAS, Tama County recognizes the importance of veteran focused programs, including county level Veterans Affairs support, assistance with compensation and pensions, medical care, military records, grave markers, home loans, and temporary aid for shelter, utilities, food, medical needs, job placement, counseling, and transportation; and

WHEREAS, IowaWORKS Centers provide priority service to veterans and their spouses, including career counseling, job search assistance, academic skill testing, résumé development, and Registered Apprenticeship opportunities; and

WHEREAS, the Warrior & Family Services Branch supports military families with resources and networked assistance to strengthen service members and their communities; and

WHEREAS, the Iowa Employer Support of the Guard and Reserve (ESGR) program continues to promote employer education, outreach, and support for Guard and Reserve members; and WHEREAS, Tama County has met the requirements and is formally recognized with the official Home Base Iowa Establishment Date of January 20, 2026; and

WHEREAS, Tama County seeks to enhance its veteran friendly status by offering meaningful, practical incentives that directly assist veterans relocating to the county.

NOW, THEREFORE, BE IT RESOLVED by the Tama County Board of Supervisors that:

1. Tama County proudly reaffirms its participation as a Home Base Iowa County with the updated establishment date of January 20, 2026.

2. The County designates the following point of contact for all HBI related matters: Mark Doland, Chairman, Tama County Board of Supervisors Email: mdoland@tamacounty.org Phone: 641 481 2533

3. Relocation Incentives:

- Up to \$2,500 in assistance toward the purchase of a home within Tama County.

- Up to \$1,250 in rental assistance and/or rental deposit assistance.

4. Tama County will continue encouraging local employers, organizations, and communities to support HBI hiring initiatives, incentives, and veteran benefits.

5. Tama County Veterans Affairs, IowaWORKS, and other recognized veteran service organizations shall remain essential partners in delivering direct assistance to veterans.

6. The County shall promote ongoing public awareness of all incentives, resources, and programs available to veterans through Home Base Iowa, ESGR, the American Legion, and related support networks.

7. Authority to Implement Supportive Measures: The Tama County Board of Supervisors is authorized to take such actions, adopt such policies, and allocate such resources as may be necessary and appropriate to support, advance, and fulfill the objectives and outcomes outlined in this Resolution.

8. This Resolution fully updates and supersedes the version originally adopted on October 1, 2018.

Roll Call Vote: Hilmer, aye. Turner, aye. Knebel, aye. Doland, aye. Kupka, aye. Resolution passed and adopted this 20th day of January, 2026. Mark Doland, Chairman, Board of Supervisors. Karen Rohrs, County Auditor.

Motion by Turner, seconded by Kupka to approve the claims for payment as presented in the amount of \$51,509.76. Discussion: None. All voted aye. Motion carried.

Public Comments: Public comments were heard from Jim Smith. Public comment time closed at 9:14 am.

New Business:

Turner discussed how contracts need to be signed by the board of supervisor chairman and that long term contracts should not be signed. He also gave an update regarding the new phone system.

Hilmer stated he had received a phone call from Ben Schemmel, who had been in to present a tax abatement plan to the board of supervisors at a previous meeting, to see if he could come back and discuss the tax abatement plan with the board again. This topic will be placed on the February 2<sup>nd</sup> agenda. Kupka had stated he had met with secondary roads last week and that the meeting went well and that they have a plan. Secondary roads will be posting openings for truck drivers. He also

informed the Board that the landfill will be transferring money like they have done in the past. Doland stated he had reached out to bonding attorney, John Danos from Dorsey & Whitney LLP, to discuss a TIF.

Motion by Kupka, seconded by Turner to adjourn the meeting. All voted aye. Motion carried. Chairman Doland adjourned the meeting at 9:23 am.

These minutes are intended to provide a summary of the discussions and decisions made during the Board of Supervisor meeting. For the most accurate and comprehensive record, please refer to the audio recording of the meeting that can be provided upon request at the auditor's office.

***Tama County Board of Supervisors - Weekly Engineer's Office Report***

January 27<sup>th</sup>, 2026

We have done brush cutting last week and we will continue to do that this week. We have been using our tractor mowers.

Fuel Tank has been moved to Garwin to replace an old one there. That is all hooked up now.

Chloride pump in Tama just needs some fittings and we will have that running again.

On Monday, Wednesday, & Thursday of last week, we had our trucks plowing snow.

## TAMA COUNTY UTILITY PERMIT APPLICATION

This is a Utility Permit Application for telecommunications, electric, gas, water and sewer utilities. The applicant agrees to comply with the following permit requirements. Compliance shall be determined by the sole discretion of the County Engineer as deemed necessary to promote public health, safety and the general welfare. These requirements shall apply unless waived in writing by the County Engineer prior to installation.

Applicant Name: ITC Midwest LLC

Street Address: 3165 Edgewood Parkway SW

City, State & Zip Code: Cedar Rapids, IA 52404

Telephone Number: 319-297-6765

Contact Person: Chad Levi

1. Location Plan. An applicant shall file a completed location plan as an attachment to this Utility Permit Application. The location plan shall set forth the location of the proposed line on the secondary road system and include a description of the proposed installation.
2. Written or Verbal Notice. At least two working days prior to the proposed installation, an applicant shall file with the County Engineer a notice stating the time, date, location and nature of the proposed installation.
3. Inspection. The County Engineer shall provide a full-time inspector during all permitted work done by a third party contractor. The inspector shall have the right, during reasonable hours and after showing proper identification, to enter any installation site in the discharge of the inspector's official duties, and to make any inspection or test that is reasonably necessary to protect the public health, safety and welfare. The cost of providing this inspection service shall be paid by the permit holder upon submission by Tama County of a bill for such services. All requirements listed in 4. Requirements shall be met (less written exemptions) regardless of whom actually performs the work.
4. Requirements. The installation inspector shall assure that the following requirements have been met:
  - A) Construction signing shall comply with the Manual on Uniform Traffic Control Devices.
  - B) Depth – The minimum depth of cover shall be as follows:

Telecommunications....36"	Electric.....48"
Gas.....48"	Water.....60"      Sewer.....60"

If the utility is installed in the road ditch and if the ditch has silted in above the original flowline, add the depth of silting to the "minimum depth" to obtain the required depth in a particular location.
  - C) The applicant shall use reference markers in the right of way ("R.O.W.") boundary to locate line and changes in alignment as required by the County Engineer. A permanent warning tape shall be placed one (1) foot above all underground utility lines.
  - D) All tile line locations shall be marked with references located in the R.O.W. line.
  - E) No underground utility lines shall cross over a crossroad drainage structure.
  - F) Residents along the utility route shall have uninterrupted access to the public roads. An all-weather access shall be maintained for residents adjacent to the project.
  - G) A joint assessment of the road surfacing shall be made by the applicant and the County Engineer both before and after construction. After construction, granular surfacing shall be added to the road by the applicant to restore the road to its original condition. After surfacing has been applied, the road surface shall be reviewed by the County Engineer (after the road has been saturated), to determine if additional surfacing on the roadway by the applicant is necessary.

- H) All damaged areas within the R.O.W. shall be repaired and restored to at least its former condition by the applicant or the cost of any repair work caused to be performed by the County will be assessed against the applicant.
- I) Areas disturbed during construction which present an erosion problem shall be solved by the applicant in a manner approved by the County Engineer.
- J) All trenches, excavations, and utilities that are knifed shall be properly tamped.
- K) All utilities shall be located between the bottom of the backslope and the bottom of the foreslope, unless otherwise approved in writing by the County Engineer prior to installation.
- L) Road crossings shall be bored. The minimum depth below the road surface shall match the minimum depth of cover for the respective utility. All entrances with culverts shall either be bored or, the utility shall be placed at least 24" below the bottom elevation of the culvert.

5. Non-Conforming Work. The County Engineer may halt the installation at any time if the applicant's work does not meet the requirements set forth in this Utility Permit.

6. Emergency Work. In emergency situations, work may be initiated by an applicant without first obtaining a Utility Permit. However, a Utility Permit must be obtained within fourteen (14) days of initiation of the work. All emergency work shall be done in conformity with the provisions of this ordinance and shall be inspected for full compliance.

7. County Infraction. Violation of this permit is a county infraction under Iowa Code section 331.307, punishable by a civil penalty of \$100 for each violation or if the infraction is a repeat offense a civil penalty not to exceed two hundred dollars for each repeat offense. Each day that a violation occurs or is permitted to exist by the applicant constitutes a separate offense.

8. Hold Harmless. The utility company shall save this County harmless of any damages resulting from the applicant's operations. A copy of a certificate of insurance naming this county as an additional named insured for the permit work shall be filed in the County Engineer's office prior to installation. The minimum limits of liability under the insurance policy shall be \$1,000,000.

9. Permit Required. No applicant shall install any lines unless such applicant has obtained a Utility Permit from the county Engineer and has agreed in writing that said installation will comply with all ordinances and requirements of the County for such work. Applicants agree to hold the County free from liability for all damage to applicant's property which occurs proximately as a result of the applicant's failure to comply with said ordinances or requirements.

10. Relocation. The applicant shall, at any time subsequent to installation of utility lines, at the applicant's own expense, relocate or remove such lines as may become necessary to conform to new grades, alignment or widening of R.O.W. resulting from maintenance or construction operations for highway improvements.

DATE January 20, 2026

ITC Midwest LLC

NAME OF COMPANY

BY Chad Levi

DocuSigned by:



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RECOMMENDED FOR APPROVAL:

DATE \_\_\_\_\_

TAMA COUNTY ENGINEER

APPROVAL:

DATE \_\_\_\_\_

CHAIRPERSON, TAMA COUNTY BOARD OF SUPERVISORS

Adopted by Resolution 9-22-92A

# Untitled Map

Write a description for your map.

## Legend

■ Feature 1



# Tax Charge Information Sheet



Tama County, IA - Treasurer  
 104 W. State Street  
 P.O. Box 336  
 Toledo, IA 52342  
 (641) 484-3141

Amount Due if Paid By: 09/02/2025

CALLISTO TRUST  
 PO BOX 678  
 DES MOINES, IA 50303

Daniela Morejon

Parcel Number: 1427451013  
 Owner: CALLISTO TRUST

Situs: 707 GRANT  
 Legal: BROWNE'S LOT 8 & N 25' LOT 9 BLK 5

<u>Taxes Due</u>		Bill Number	1st Half Tax	1st Half Interest	2nd Half Tax	2nd Half Interest	Additional Costs	Total Due
2019	Tax	229529	\$311.00	\$275.00	\$311.00	\$247.00	\$4.00	\$1,148.00
2020	Special TAMA SEPTEMBER 2020	006041	\$329.67	\$292.00	\$0.00	\$0.00	\$5.00	\$626.67
2020	Tax	256497	\$314.00	\$221.00	\$314.00	\$193.00	\$4.00	\$1,046.00
2021	Tax	279174	\$311.00	\$163.00	\$311.00	\$135.00	\$4.00	\$924.00
2022	Special TAMA SEPTEMBER 2022	007117	\$1,126.27	\$591.00	\$0.00	\$0.00	\$5.00	\$1,722.27
2022	Tax	301891	\$361.00	\$125.00	\$361.00	\$92.00	\$4.00	\$943.00
2023	Tax	324486	\$364.00	\$60.00	\$364.00	\$27.00	\$4.00	\$819.00
2024	Tax	347118	\$392.00	\$0.00	\$392.00	\$0.00	\$0.00	\$784.00
Total Taxes Due for Parcel Number 1427451013:			\$3,508.94	\$1,727.00	\$2,053.00	\$694.00	\$30.00	\$8,012.94

<u>Tax Sale</u>	Date	Certificate#	Tax	# of Months	Interest	Service Fee	Total Due
County Held	06/17/2019	19-00203	\$4,018.00	75	\$6,027.00	\$0.00	\$10,045.00
Total To Redeem for Certificate Number 19-00203:			\$4,018.00		\$6,027.00	\$0.00	\$10,045.00

SP 501, 1853	TAX 1130	MISC 18	INTEREST 6243		\$18,057.94
Total Due for Parcel Number 1427451013:					

## Tax Charge Summary for 1 Parcel

Total Unpaid Charges:	
First Half Due:	\$5,265.94
Second Half Due:	\$2,747.00
Total Due:	\$8,012.94
Total Unpaid Tax Sale Certificates:	\$10,045.00
Grand Total Unpaid:	\$18,057.94

TAX 5236 501 2418  
 SP 5002.94  
 Interest 7751  
 MISC 38  
 18057.94

**TAMA COUNTY**  
**PLANNING/ZONING/WEED COMMISSIONER**  
129 W. HIGH ST, TOLEDO, IOWA 52342  
PHONE (641) 654-7045, lwilson@tamacounty.org

**ZONING COMMISSION RECOMMENDATION TO BOARD OF SUPERVISORS**  
**Accessory Dwelling Unit Changes**

On Tuesday, January 20 2026 at 6:00 PM, the Tama County Zoning Commission held a public hearing to consider revision to the Ordinance 6.1 "1998 Tama County Zoning Ordinance", to amend the ordinance to include an article on Accessory Dwelling Units and to update the Definitions section relating to Accessory Dwelling Unit wording.

The Code of Iowa revised Chapter 335 in 2025, requiring every county to allow at least one Accessory Dwelling Unit per parcel. The Zoning Commission has created the recommended draft in accordance with the State guidelines in that Chapter. Other areas of the "1998 Tama County Zoning Ordinance" also need to be revised to accommodate the new section, and are included in the recommended changes.

The Zoning Commission voted 3-0 to approve these Accessory Dwelling Unit updates within the Ordinance 6.1 "1998 Tama County Zoning Ordinance" for recommendation to the Tama County Board of Supervisors for their approval.



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Chairman, Tama County Zoning Commission  
Doug Dvorak



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Date

Amendment to 1998 Tama County Zoning Ordinance (to be added and codified to the full document as a new Article)

DEFINITIONS (Highlighted sections are new or revised):

400.## (new): ACCESSORY DWELLING UNIT (ADU). Means a self-contained secondary residential dwelling unit located on the same lot as a principal single family dwelling, which may take the following forms: a detached unit, a unit that is part of an accessory structure, a unit that is part of a principal dwelling, a tiny house, or a manufactured or mobile home converted to real property by being placed on a permanent foundation and assessed for real estate taxes. The accessory dwelling unit provides complete independent living facilities for one or more persons, which at a minimum includes permanent provisions for living, cooking, and sanitation, including a bathroom and kitchen, and which has independent access. Accessory building size limitations shall apply as appropriate. ADUs in Iowa are recognized as fully functional independent homes sharing the parcel with a primary dwelling.

400.30 (revised): DWELLING, SINGLE FAMILY, DETACHED. A residential building containing not more than 1 primary dwelling unit, entirely surrounded by open space on the same lot. One Accessory Dwelling Unit, either attached to or detached from the primary dwelling unit, is also allowed.

400.77 SINGLE FAMILY DWELLING. A building designed for occupancy by one family. All new building permits after the enactment of this Ordinance shall meet the following standards:

400.78 a. The principal portion of such building shall have a continuous and complete frost protected perimeter foundation. A manufactured home as defined in this ordinance shall be placed upon piers per the manufacturer's requirements but said home must meet the foundation requirements contained herein, namely it shall also have a complete permanent perimeter foundation with piers. The building shall have for the exterior wall covering either:

- 1) Wood or masonry finish, or its appearance, and/or
- 2) Vertical or horizontal grooved siding or lap siding, or its appearance.
- 3) Use of flat, formed, or corrugated sheet metal or plastic type materials for the roof covering is prohibited. Architectural sheet metal is permitted.

b. One Accessory Dwelling Unit is allowed per parcel where any Single Family Dwelling Unit is located.

### **Update Article VII Parking Requirements: (Table)**

(Add to “Single Family Detached”): 2 spaces per unit (Accessory Dwelling Units are recommended to add parking but not required).

### **Update Article V, Districts & General Regulations**

503.1 Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than 1 main building on one lot, with the exception of farm out buildings and/or one Accessory Dwelling Unit if applicable per zoning district. A Conditional Use Permit shall be applied for where more than one main house will be on a lot for a temporary period of time when a second house is being built and the older has plans to be removed. If the new construction of a second dwelling meets all regulations and size proportion requirements of an Accessory Dwelling Unit, including additional E911 address, then a Conditional Use Permit is not required.

## **ARTICLE \_\_\_\_\_. ACCESSORY DWELLING UNITS**

1. One accessory dwelling unit is allowed on the same lot as a single family residence in districts A, R-1, R-L, R-2, and R-3 in accordance with the following conditions:
  - a. An accessory dwelling unit shall not exceed one thousand (1000) square feet or fifty percent (50%) of the size of the single family residence, whichever is larger. The calculation of square footage does not include garage-use space or non-heated enclosed porches.
    - 1) If the ADU is a converted attic, upper-garage level, or other single-floor space with sloped ceilings, the area having a ceiling height of less than seven (7) feet shall not count towards the square footage calculation.
  - b. An accessory dwelling unit must include independent access and have permanent provisions for living, cooking, and sanitation, including a bathroom and kitchen.
  - c. An accessory dwelling unit must request from the county an E911 address that is separate from the E911 of the existing single-family dwelling, prior to the approval of a zoning certificate application.
  - d. An accessory dwelling unit shall comply with all applicable building regulations as defined in Iowa Code chapter 103A.
  - e. An accessory dwelling unit building plan shall be reviewed by the Sanitarian to approve septic area requirements.
  - f. If a manufactured home, a “tiny home”, or a mobile home, 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.
  - g. As a permanent address is required, Park Model RV units are not allowed as an accessory dwelling unit unless converted to real property by being placed on a permanent foundation and assessed for real estate taxes.
2. An accessory dwelling unit may take the following forms: a unit that is part of a principal dwelling, a detached unit, a unit that is part of an accessory structure (detached from primary). Also a tiny house, a manufactured house, or mobile home converted to real property by being placed on a permanent foundation and assessed for real estate taxes.
3. Accessory dwelling units must follow the same zoning requirements as defined for a single-family dwelling unit in each respective district, including but not limited to setbacks, height, and yard ratio regulations.

4. Rental uses of Accessory Dwelling Units will be required to comply with Iowa Code Chapter 331.301-subsection 18 and Iowa Code chapter 562A.
5. Additional parking for an Accessory Dwelling Unit is not required, but recommended.
6. An Accessory Dwelling Unit shall have separate exterior access from any Primary Dwelling.
7. Accessory Dwelling Unit may share utility lines with the primary single family dwelling unit if full utility access that includes a separate metering system for billing purposes can be provided to the accessory dwelling unit.
  - a. If full utility access that includes a separate metering system for billing purposes cannot be provided to the Accessory Dwelling Unit, then new or separate utility lines are recommended.
8. The Application for Zoning Certificate is required to build or convert an Accessory Dwelling Unit. The application form is the same as standard permit applications. The square footage of both the primary dwelling unit and the accessory dwelling unit will need to be provided when applying for an accessory dwelling unit.
  - a. Applications must be submitted by the landowner, approved trustee, or contractor. If application is submitted by a contractor, all contact information for the landowner or trustee must be provided.

**Senate File 592 - Enrolled** 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 timeframe 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.