

**JONES COUNTY
PLANNING & ZONING COMMISSION
TUESDAY, AUGUST 12, 2025 4:30 P.M.
COMMUNITY ROOM, JONES COUNTY COURTHOUSE**

- 4:30 p.m.**
- Call meeting to order, approve agenda. Approve meeting minutes from the July 1, 2025 meeting.
 - Discussion on preliminary plat for CW Barner Enterprises LLC to subdivide parcel 2019-12 in the SW 1/4 of the NE 1/4 in Section 20 of Fairview Township.
 - Action on preliminary plat for CW Barner Enterprises LLC to subdivide parcel 2019-12 in the SW 1/4 of the NE 1/4 in Section 20 of Fairview Township.
 - Public Hearing on final plat for Randy Caspers, to subdivide the South 1/2 of the SW 1/4 of Section 35 of Cass Township, a one lot subdivision calling this Caspers Acres.
 - Action on final plat for Randy Caspers, to subdivide the South 1/2 of the SW 1/4 of Section 35 of Cass Township, a one lot subdivision calling this Caspers Acres.
 - Discussion on possible changes to the Jones County Subdivision Ordinance and changes to the Jones County Zoning Ordinance Article XI Auxiliary and Seasonal Dwelling Units
 - Next meeting, September 9, 2025. Application deadline is Wednesday August 12, 2025.
 - Adjourn

Jones County Planning and Zoning Commission Meeting Minutes July 1, 2025, 4:30 p.m.

Members present:

Tim Fay
Lowell Tiedt
Keith Stamp
Kris Doll
Janine Sulzner

Members absent:

Keith Stamp

Staff present:

Whitney Amos, Jones County Land Use Administrator

Visitors present:

Chairperson Fay called the meeting to order at 4:30 p.m.

Motion by Sulzner seconded by Doll to approve the agenda for the meeting. All aye. Motion carried.

Motion by Tiedt seconded by Doll to approve the meeting minutes with changes for June 10, 2025.

Motion by Tiedt seconded by Sulzner to open the public hearing at 4:31 p.m. for the preliminary plat for Owner Randy Caspers, to subdivide the South ½ of the SW ¼ of Section 35 of Cass Township. A one-lot subdivision calling this Caspers Acres.

All aye- motion carried

A review of the requirements within the ordinance were outlined and the following variances are noted:

- Variance to Section 2. Streets and Access Points,
 - The proposed access will be coming off of 131st Street.

- Variance to Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance.

- There is no proposed interior street. Therefore, there are no proposed cul-de-sacs, bus turnarounds or street names.
- Variance to Section 7. Storm Water Pollution Prevention Plan, of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance.
 - If more than one acre is disturbed a Storm Water Pollution Prevention Plan will be required to be submitted.
- Variance to Section 5, of Article VII, Procedure for Review of Plats. Subsection P. A soil erosion control plan and drainage control plan created by a licensed engineer, filed with the Jones County Land Use Office.
 - Per Jones County District Soil Conservationist, a soil erosion plan must be submitted before any land disturbing activity.

The Land Use Administrator advised that the property owner Randy Caspers discussed with her that the ground is currently planted in hay. They eventually plan on putting in a pond as a retention basin, however that will not be on the 2 acres. When building the new home, they only plan on disturbing about 1/8 of an acre.

There was discussion as to why a subdivision was even necessary and why a split couldn't have been done since it is in the residential district. In the Jones County Subdivision ordinance, it states that the division of land by the owner into three or more parts for the purpose of transferring of ownership or building a development.

Motion by Sulzner, seconded by Doll to close the public hearing at 4:40 p.m. All aye motion carried.

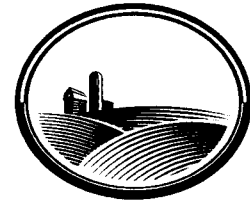
Motion by Sulzner seconded by Tiedt to recommend approval for the preliminary plat of Caspers Acres a one lot subdivision located in section 35 of Cass Township with the listed variances.

Tim Fay- aye
 Kris Doll-aye
 Lowell Tiedt – aye
 Janine Sulzner- aye

The next regular meeting will be Tuesday August 12, 2025, at 4:30 p.m. with a deadline of July 23, 2025.

Motion by Tiedt seconded by Sulzner to adjourn at 4:53 p.m.
 All aye. Motion carried.

Jones County Land Use
Rm 113 Courthouse, 500 W Main St.
Anamosa, Iowa 52205
Phone: 319-462-2282 Fax: 319-462-5815
Email: landuse@jonescountyiowa.gov
Website: www.jonescountyiowa.gov



JONES COUNTY LAND USE

Date: August 12, 2025

To: Planning & Zoning Commission

From: Whitney Amos Land Use Administrator

Re: Review of CW Barner Addition -Preliminary Plat

A review of the requirements within the ordinance were outlined and the following variances are noted:

- Variance to Section 2. Streets and Access Points,
 - There are not two access points to this subdivision. The only possible access point would be off of 230th Ave accessing Lot#1 through Lot #2.
 - A recorded easement may be required for access to lot #2.
- Variance to Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance.
 - There is no proposed interior street. Therefore, there are no proposed cul-de-sacs, bus turnarounds or street names.
- Variance to Section 7. Storm Water Pollution Prevention Plan, of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance.
 - If more than one acre is disturbed a Storm Water Pollution Prevention Plan will be required to be submitted.
- Variance to Section 5, of Article VII, Procedure for Review of Plats. Subsection P. A soil erosion control plan and drainage control plan created by a licensed engineer, filed with the Jones County Land Use Office.
 - Per Jones County District Soil Conservationist, a soil erosion plan must be submitted before any land disturbing activity.

Review by the Jones County Land Use Administrator

	Jones County Engineer – Derek Snead
Comments:	<p><i>I have reviewed the Preliminary Plat CW Barner Addition to Jones County in Section 20 of Fairview Township. My comments are as follows:</i></p> <ul style="list-style-type: none"> • <i>Jones County has established rules for control of access to secondary roads. This policy was developed to formalize Jones County's requirements for the location and establishment of driveways, field accesses and farm entrances requested by county property owners. If a new access will be constructed or if there are any proposed changes to an existing property access, the property owner must file an 'Application for Access' with the Jones County Secondary Road Department prior to commencing any access construction.</i> • <i>Jones County has established an ordinance to ensure uniform building and structural alterations along County public secondary road rights-of-way that will protect and preserve the highway corridor. If a property owner desires to build a structure or alter an existing structure that is within thirty feet of the secondary road right-of-way, then a variance request must be filed with the County Engineer's Office before any construction may commence.</i> • <i>Any work that may necessitate work (ditching, driveway resurfacing, etc.) within the County road right-of-way must first obtain an Application for Alteration of Public Right-of-Way before commencing with construction.</i> <p><i>If the applicant has any questions on any of the above conditions, please contact myself for more information and guidance.</i></p>
	Jones County District Soil Conservationist – Addie Manternach
Comments:	<p><i>I do not see any major concerns/impacts of the proposed addition preliminary on this site. However, there are some steep slopes and fragile soils in this area. Any disturbance of the land cover could cause severe soil erosion, resulting in degraded lands. In addition, any runoff from heavy rain events is likely to wash soil and other loose material into adjacent water bodies, impairing the water quality there and degrading aquatic habitat. The Jones Soil & Water Conservation District advises the landowner to seek assistance in developing an erosion control plan prior to construction which includes the installation of practices such as silt fence and mulching to prevent soil erosion from the site during construction and addresses sediment leaving the property.</i></p>
	Jones County Sanitarian – Lisa Bogan
Comments:	<p><i>Any future plans for well or septic needs will need to be brought to the attention of Jones County Environmental. If needed, applications will need to be submitted to determine if those can be permitted through Jones County or the Iowa DNR offices.</i></p>
	Flood Plain Manager – Brenda Leonard
Comments:	<p><i>The parcels associated with this request are not located in a floodplain.</i></p>
	Jones County Conservation Board - Brad Mormann
Comments:	<p><i>No comments received</i></p>
	Jones County E911 Coordinator – Gary Schwab
Comments:	<p><i>The CW Barner Preliminary Plat has been reviewed and has been found lacking in compliance to Chapter 3, Uniform Rural Address System to Title IV Streets, Roads, Public Ways, and Transportation, as part of the Jones County Code of Ordinances. In particular there is a lack of clear access to either lot that would be presumed to be from 230th Ave. or from County Road E34 making it difficult to address properly.</i></p>



JONES COUNTY, IOWA

CW Barner Addition

Date: 5/30/2025

This map was produced from data maintained in the Jones County Geographic Information System. For further information regarding maps, data sources or the availability of GIS products and services, please contact Jones County GIS at: (319) 462-5303.



SCALE
1" = 50'

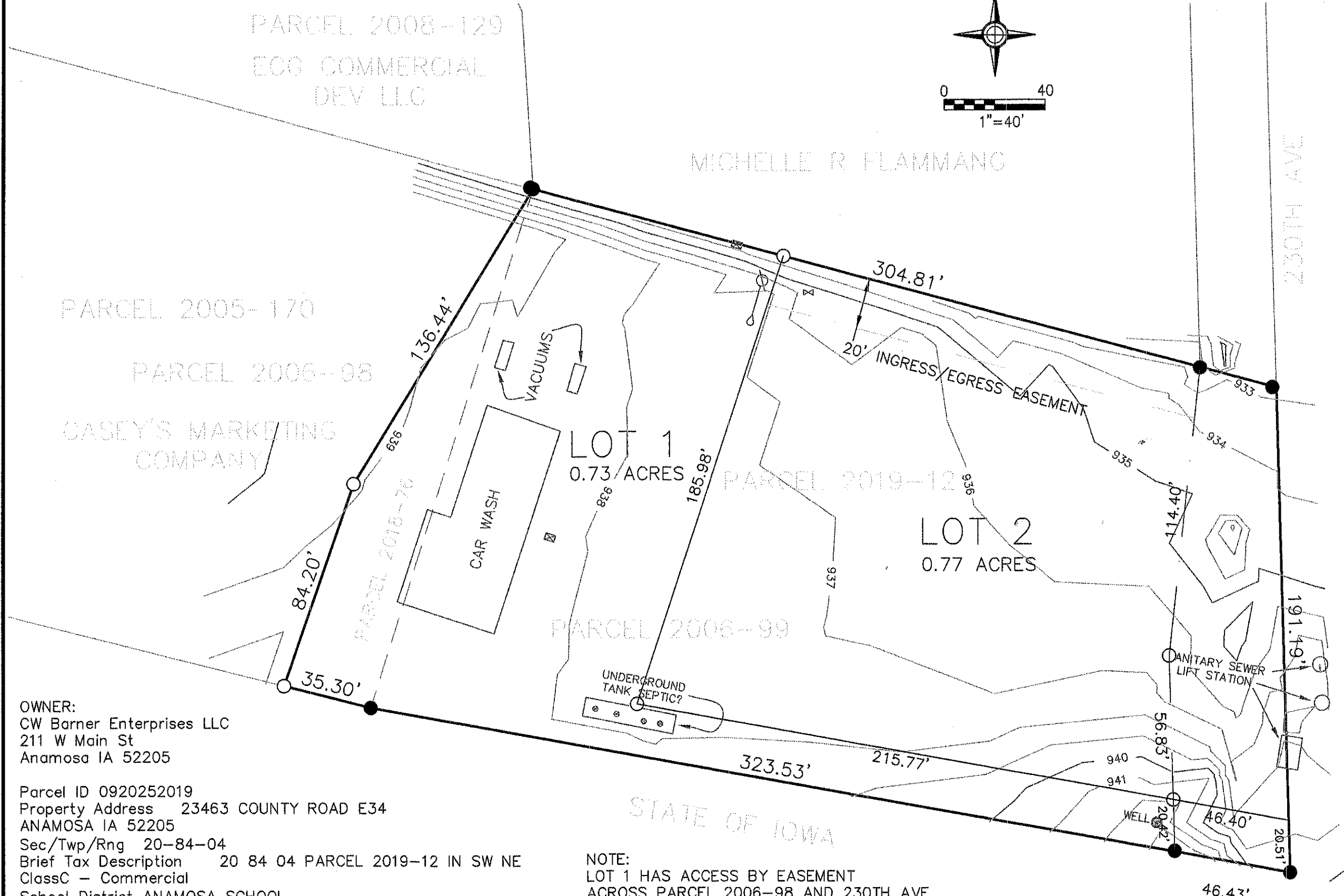
LEGEND

-  Preliminary Lines
-  Preliminary Easements



Preliminary Plat CW Barner Addition to Jones County

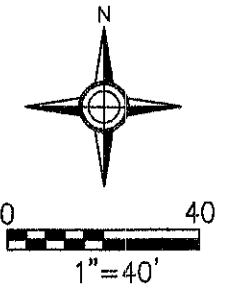
Parcel 2019-12 Comprised of Parcel 2006-99 and 2018-76
in the SW 1/4 NE 1/4 Section 20-84-4



OWNER:
CW Barner Enterprises LLC
211 W Main St
Anamosa IA 52205

Parcel ID 0920252019
Property Address 23463 COUNTY ROAD E34
ANAMOSA IA 52205
Sec/Twp/Rng 20-84-04
Brief Tax Description 20 84 04 PARCEL 2019-12 IN SW NE
ClassC - Commercial
School District ANAMOSA SCHOOL

NOTE:
LOT 1 HAS ACCESS BY EASEMENT
ACROSS PARCEL 2006-98 AND 230TH AVE
LOT 2 WILL BE ACCESSED BY 230TH AVE



NOVICK LAND SURVEYING
PO Box 365
Springville, Iowa 52336
Phone: (319) 330-8197

Client: Barner Inc.
211 W. Main Street
Anamosa, Iowa 52205

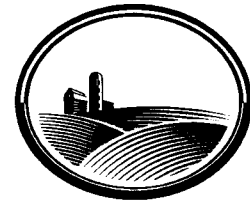
Drawn By: TMN Approved By: TMN
Date: 06/2024 Scale: 1"=100'
Field Book #: DC Fairview

Prepared by: Tom Novick
Novick Land Surveying LLC
PO Box 365 Springville, Iowa 52336

Preliminary Plat

Sheet No.
1
9
1

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Rm 113 Courthouse, 500 W Main St.
Anamosa, Iowa 52205
Phone: 319-462-2282 Fax: 319-462-5815
Email: landuse@jonescountyiowa.gov
Website: www.jonescountyiowa.gov



JONES COUNTY LAND USE

Date: August 12, 2025

To: Planning & Zoning Commission

From: Whitney Amos Land Use Administrator

Re: Review of Caspers Acres Subdivision-Final Plat

A review of the requirements within the ordinance were outlined and the following variances are noted:

- Variance to Section 2. Streets and Access Points,
 - The proposed access will be coming off of 131st Street.

- Variance to Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance.
 - There is no proposed interior street. Therefore, there are no proposed cul-de-sacs, bus turnarounds or street names.

- Variance to Section 7. Storm Water Pollution Prevention Plan, of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance.
 - If more than one acre is disturbed a Storm Water Pollution Prevention Plan will be required to be submitted.

- Variance to Section 5, of Article VII, Procedure for Review of Plats. Subsection P. A soil erosion control plan and drainage control plan created by a licensed engineer, filed with the Jones County Land Use Office.
 - Per Jones County District Soil Conservationist, a soil erosion plan must be submitted before any land disturbing activity.

Review by the Jones County Land Use Administrator

	Jones County Engineer – Derek Snead
Comments:	<p><i>I have reviewed the Preliminary Plat for Caspers Acres in Section 35 of Cass Township. My comments are as follows:</i></p> <ul style="list-style-type: none"> • <i>Jones County has established rules for control of access to secondary roads. This policy was developed to formalize Jones County’s requirements for the location and establishment of driveways, field accesses and farm entrances requested by county property owners. If a new access will be constructed or if there are any proposed changes to an existing property access, the property owner must file an ‘Application for Access’ with the Jones County Secondary Road Department prior to commencing any access construction.</i> • <i>Jones County has established an ordinance to ensure uniform building and structural alterations along County public secondary road rights-of-way that will protect and preserve the highway corridor. If a property owner desires to build a structure or alter an existing structure that is within thirty feet of the secondary road right-of-way, then a variance request must be filed with the County Engineer’s Office before any construction may commence.</i> • <i>Any work that may necessitate work (ditching, driveway resurfacing, etc.) within the County road right-of-way must first obtain an Application for Alteration of Public Right-of-Way before commencing with construction.</i>
	Jones County District Soil Conservationist – Addie Manternach
Comments:	<p><i>I do not see any major concerns/impacts of the preliminary plat near for Caspers Acres. However, the landowner is advised to take precautions to control soil erosion and sediment runoff from the site during any construction where earthmoving occurs or existing land cover is disturbed, as there is the potential for increased soil erosion from wind and rain, resulting in degraded lands. Also, runoff from heavy rain events during construction is likely to wash soil and other loose material into nearby water bodies, impairing the water quality and degrading aquatic habitat. The Jones Soil & Water Conservation District advises putting a construction site erosion control plan in place prior to starting any land disturbing activity. The plan should include the installation of practices such as silt fence and mulching to prevent on-site soil erosion and also address sediment leaving the property.</i></p>
	Jones County Sanitarian – Lisa Bogran
Comments:	<p><i>Septic and well applications if required, are to be submitted and permitted through Jones County Environmental.</i></p>
	Flood Plain Manager – Whitney Amos
Comments:	<p><i>Parcel#0535351002 is not located in a flood plain.</i></p>
	Jones County Conservation Board - Brad Mormann
Comments:	<p><i>No comments received</i></p>
	Jones County E911 Coordinator – Gary Schwab
Comments:	<p><i>The Caspers acres Preliminary Plat has been reviewed and has been found compliant to Chapter 3, Uniform Rural Address System to Title IV Streets, Roads Public Ways and Transportation, as part of the Jones County Code of Ordinances.</i></p>

INDEX LEGEND

LOCATION: PART OF THE S1/2 OF THE SW1/4,
SECTION 35, T85N, R4W

PROPRIETORS: RANDY R. CASPERS AND ROSANN M. CASPERS

REQUESTOR: RANDY CASPERS

SURVEYOR: BILL BURGER

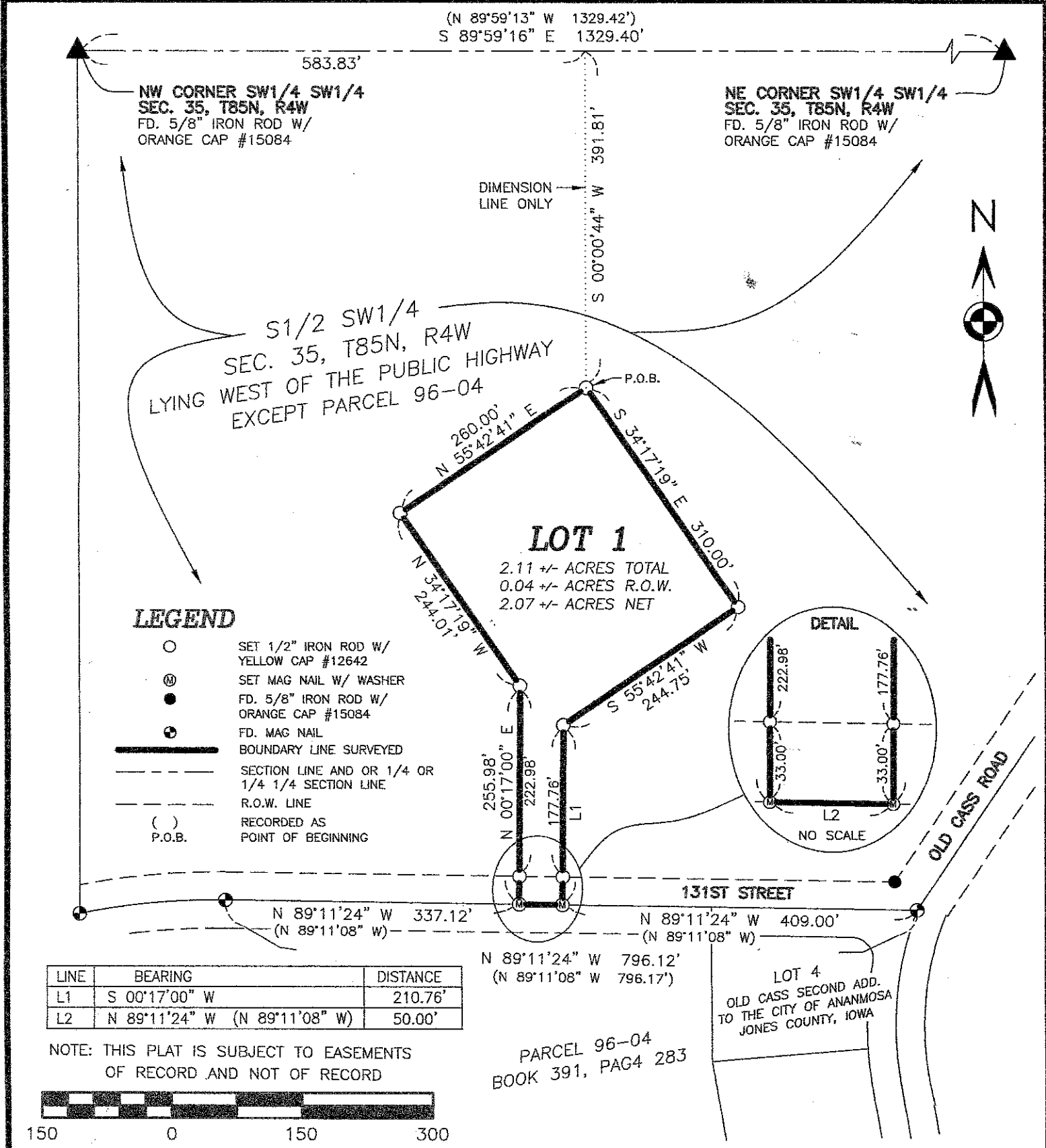
SURVEYOR COMPANY: WM. BURGER LANDSURVEYOR

BILL BURGER, 510 3RD STREET WEST COURT,
WORTHINGTON, IA 52078 | (563) 590-1964

PREPARED BY BILL BURGER 510 3RD STREET WEST COURT, WORTHINGTON, IOWA 52078 (563) 855 2028

**FINAL
PLAT**

CASPERS ACRES PART OF THE SOUTH HALF (S1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTY-FIVE NORTH (T85N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, JONES COUNTY, IOWA



DATE OF SURVEY: 5/16/2025 SCALE: 1" = 150' SHEET 1 OF 2

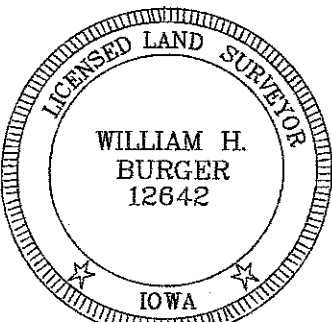
PROPRIETORS: SEE INDEX LEGEND

I HEREBY CERTIFY THAT THIS LANDSURVEYING DOCUMENT WAS PREPARED AND RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA. MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024

**Wm. Burger
LandSurveyor**

510 3rd Street West Court
Worthington, Iowa 52078

William H. Burger 6/13/25
WILLIAM H. BURGER #12642 DATE



LEGAL DESCRIPTION

CASPERS ACRES – Part of the South Half (S1/2) of the Southwest Quarter (SW1/4) of Section Thirty-five (35), Township Eighty-five North (T85N), Range Four West (R4W) of the Fifth Principal Meridian, Jones County, Iowa; containing a total of 2.11 acres more or less including 0.04 acres of public road right of way, **subject to easements, reservations, restrictions, and rights of way of record and not of record** and more particularly described by metes and bounds as follows:

COMMENCING at the Northwest corner of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Thirty-five (35), Township Eighty-five North (T85N), Range four West (R4W) of the Fifth Principal Meridian, Jones County, Iowa;

Thence South 89°-59'-16" East 583.83 feet along the North line of said Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4);

Thence South 00°-00'-44" West 391.81 feet to the **POINT OF BEGINNING**;

Thence South 34°-17'-19" East 310.00 feet;

Thence South 55°-42'-41" West 244.75 feet;

Thence South 00°-17'-00" West 210.76 feet to the South line of the South half (S1/2) of the Southwest Quarter (SW1/4) of said Section Thirty-five (35), said point being on the centerline of 131st Street;

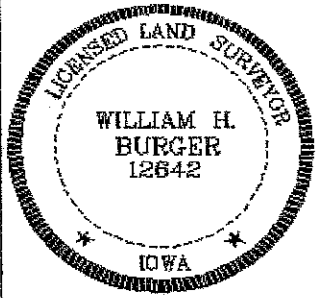
Thence along said South line North 89°-11'-24" West 50.00 feet;

Thence North 00°-17'-00" East 255.98 feet;

Thence North 34°-17'-19" West 244.01 feet;

Thence North 55°-42'-41" East 260.00 feet to the **POINT OF BEGINNING**, containing a total of 2.11 acres more or less, including 0.04 acres more or less of road right of way, **subject to easements, reservations, restrictions, and rights of way of record and not of record**;

The North line of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Thirty-five (35), Township Eighty-five North (T85N), Range Four West (R4W) of the Fifth Principal Meridian of Jones County, Iowa is assumed to bear South 89°-59'-16" East.

 <p>LICENSED LAND SURVEYOR WILLIAM H. BURGER 12642 IOWA</p>	<p><u>SURVEYORS CERTIFICATE</u></p> <p>I hereby certify that this land survey document was prepared and related survey work was performed by me or under my direct personal supervision, and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa;</p> <p>My license renewal date is December 31, 2026</p> <p><i>William H. Burger</i> 6/13/25 William H. Burger Date Reg. No. 12642 Sheet No. 2 covered by this seal</p>
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ARTICLE V
MINIMUM IMPROVEMENTS

SECTION 3. INTERIOR STREET STANDARDS

When a proposed subdivision contains any interior street, the The following standards shall apply to all private streets to be located within the proposed subdivision.

- A. Cul-de-sacs shall provide a turnaround right-of-way diameter of no less than one hundred (100) feet.
- B. Cul-de-sac streets shall be no longer than seven hundred fifty (750) feet and no shorter than one hundred (100) feet.
- C. Interior roads within the subdivision shall remain private and maintained by the Home Owners Association.
- D. Bus turnarounds shall be constructed in accordance with the design requirements of the appropriate school district.
- E. Street name signs are to be placed at all intersections within or abutting the subdivision, the type and location of which to be approved by the E911 Service Board. All signs placed in the county right-of-way shall conform to the standards contained in the Manual on Uniform Traffic Control Devices (MUTCD), as amended.

SECTION 7. STORM WATER POLLUTION PREVENTION PLAN

When more than one acre of land will be disturbed in the development of the subdivision the The developer shall submit, to the Land Use Office, a Storm Water Pollution Prevention Plan created by a licensed engineer for the entire area of the proposed subdivision. The plan shall be reviewed and approved by the Jones County Land Use and Secondary Road departments, **and shall be submitted for review prior to any disturbance of more than one acre.**

ARTICLE VII
PROCEDURE FOR REVIEW OF PLATS

SECTION 5. FILING OF PRELIMINARY PLAT

Item P. A soil erosion control plan and drainage control plan created by a licensed engineer, **shall be filed with the** filed with the Jones County Land Use Office **prior to any land disturbance within the proposed subdivision.**

CHAPTER 5

MINOR SUBDIVISION PLATTING PROCEDURES

5.1 MINOR SUBDIVISIONS

- A. No preliminary plats are required for minor subdivisions.
- B. Final plats for minor subdivisions shall be filed with the Zoning Administrator with eight (8) copies provided.
- C. The Zoning Administrator shall distribute copies of the plat to the County Recorder, County Auditor, County Assessor and County Engineer for review and comment.
- D. When the plat has been reviewed by the Zoning Administrator and other county officials cited above, it shall be forwarded with written comment from each to the Zoning Administrator prior to being forwarded to the Supervisors.
- E. If the subdivision plat conforms to the requirements of this Ordinance and Chapter 354 and 355 of the 1995, Code of Iowa, the Supervisors shall approve it and certify the resolution which shall be recorded with the plat. Final action by the Supervisors shall be taken within sixty (60) days of the filing of the plat.

5.2 MINOR SUBDIVISION REQUIREMENTS

- A. Minor subdivision plats shall comply with the specifications required for all final plats in accordance with Chapter 4, Section 4.1B, of this Ordinance.

5.3 MINOR SUBDIVISION PLAT ATTACHMENTS

Plats presented to the County Recorder for recording shall conform to Section 354.6 of the 1995, Code of Iowa and shall not be accepted for recording unless accompanied by the following documents:

- A. A certified statement from the proprietor and the proprietor's spouse, if any, that the subdivision as it appears on the plat is with their free consent and is in accordance with the desires of the proprietor and the proprietor's spouse.
- B. An opinion by a licensed attorney-at-law who has examined the abstract of title of the land being platted. The opinion shall state the names of the proprietors and holders of mortgages, liens, or other encumbrances on the land being platted and shall note the encumbrances, along with any bonds securing the encumbrances. Utility easements shall not be construed to be encumbrances for the purpose of this section.
- C. A certified statement from the Treasurer of the County that the taxes on the property in the subdivision are paid in full.
- D. A certified statement from the mortgage holders or lien holders, if any, that the plat is prepared with their free consent and is in accordance with their desires.
- E. Certification by a registered land surveyor that the plat conforms to Section 355.8 of the 1997, Code of Iowa, was prepared by the surveyor or under the surveyor's direct personal supervision, signed and dated by the surveyor and bearing the surveyor's Iowa registration number and seal.
- F. A Fence Liability Statement (See Chapter 3, Section 3.1B,4,h of this Ordinance).
- G. A resolution by the Board of Supervisors and the certified resolution of the City Council of any city

having the right to review the plat under Sections 354.8 and 354.9 of the 1997, Code of Iowa, either approving the plat or waiving its right to review.

H. Groundwater Hazard Statement

ARTICLE XI AUXILIARY AND SEASONAL DWELLING UNITS

SECTION 1. AUXILIARY DWELLING UNITS

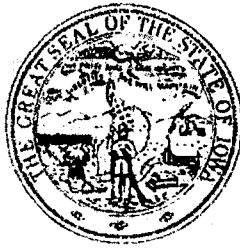
Auxiliary Dwelling Units are permitted in the A and R districts. To qualify, a unit can be a room addition or a detached structure from the existing primary dwelling unit or garage. For the purposes of Auxiliary Dwelling Units, the definition of family is anyone related by blood, marriage, adoption, legal guardianship, foster parent-children or a domestic partner of said family member. Auxiliary dwelling units shall be approved by the Board of Adjustment and are subject to the following supplemental conditions and any other conditions as may be warranted by the Board of Adjustment to mitigate any deleterious effects of the proposed use and to promote the public health, safety and general welfare.

- A. One auxiliary dwelling unit per property.
- B. The number of occupants is limited to two (2) and one shall be a family member of the primary residential unit as defined in auxiliary dwelling units. There shall be an annual verification that the persons living in the auxiliary dwelling unit are family members as defined herein.
- C. The primary dwelling unit on the property shall be occupied by the legal owner of the property. The auxiliary dwelling unit is established in such a way as to minimize its visibility from adjacent streets and properties.
- D. The gross square footage of the auxiliary dwelling unit, excluding attached covered parking and unenclosed patio covers, shall not exceed one-half the gross square footage of the primary dwelling unit or one thousand (1,000) square feet, whichever number is less.
- E. The auxiliary dwelling unit shall be provided with an off-street parking space in addition to any parking requirement for the primary dwelling unit. Any parking provided for the auxiliary dwelling unit shall be served from the same driveway system that serves the parking for the primary dwelling unit.
- F. The auxiliary dwelling unit shall meet the setback requirements of the primary dwelling unit.
- G. The auxiliary dwelling unit permanently built on a property shall be architecturally compatible with and complimentary to the primary dwelling unit. All related aesthetic matters including architecture and landscaping shall be subject to review and approval by the Board of Adjustment.

SECTION 2. SEASONAL DWELLING UNITS

Seasonal Dwelling Units are permitted in the A districts. To qualify, a seasonal dwelling unit can be a building which is temporarily rented or leased and not for year-round occupancy. A seasonal dwelling unit is separate and clearly accessory and incidental to the principal dwelling unit on the same property. Seasonal dwelling units shall be approved by the Board of Adjustment and are subject to the following supplemental conditions and any other conditions as may be warranted by the Board of Adjustment to mitigate any deleterious effects of the proposed use and to promote the public health, safety and general welfare.

- A. At least 10 acres is required to have one seasonal dwelling. For each additional seasonal dwelling on the same property, an additional acre is required.
- B. Each seasonal dwelling unit shall be adequately served by water and septic systems approved by the County Health Department.
- C. An applicant shall submit a site plan for any proposed seasonal dwelling units showing the location of the unit(s), the size of the property, the proposed utilities and other infrastructure, including roads.
- D. A seasonal dwelling unit is for temporary dwelling only and not for year-round occupancy.



STATE OF IOWA
KIM REYNOLDS
GOVERNOR

May 1, 2025

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

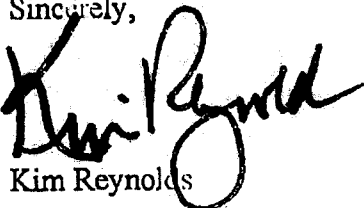
Dear Mr. Secretary,

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,



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.

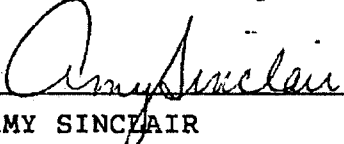
e. For the purposes of this subsection:

(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.

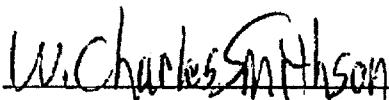


AMY SINCLAIR
President of the Senate

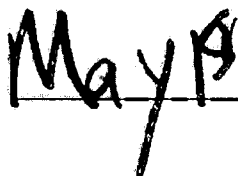


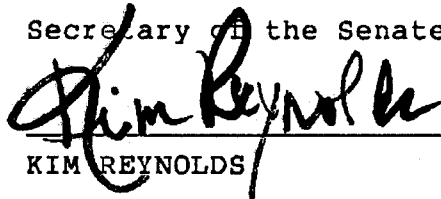
PAT GRASSLEY
Speaker of the House

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