

CHAPTER 77
SITE DEVELOPMENT PROGRAM

Chapter rescission date pursuant to Iowa Code section 17A.7: 2/25/31

261—77.1(15E) Definitions.

“*Applicant*” means the entity that submits an application to the authority for a certificate of readiness for a site development area or areas.

“*Authority*” means the economic development authority established in Iowa Code section 15.105.

“*Certificate of readiness*” means a certificate issued to a local government or local economic development official for a site that is determined to be ready for development or redevelopment based on criteria set forth in rule 261—77.4(15E).

“*Site development area*” means property that is included as part of a site development plan and that is to be used or proposed to be used for development or redevelopment.

[ARC 0002D, IAB 1/21/26, effective 2/25/26]

261—77.2(15E) Eligibility. Eligible applicants may apply to the authority for a certificate of readiness pursuant to Iowa Code section 15E.18.

[ARC 0002D, IAB 1/21/26, effective 2/25/26]

261—77.3(15E) Application; review; approval.

77.3(1) Application. All requests for a certificate of readiness for a site development area shall be made using the application provided by the authority. The application shall include at least the following information:

- a. Applicant information, including name, address, telephone number and contact person.
- b. Legal description of the site development area(s).
- c. Identification of the property owner(s) related to the site development area(s) and control of the site development area(s) for the period the certificate of readiness will be effective.
- d. Detailed site development plan(s) for the site development area(s).

77.3(2) Review. The authority will accept applications during specified time periods. The authority and, if applicable, a contractor engaged for the purpose of evaluating sites will review applications based on the general criteria described in subrule 77.4(1). The authority will evaluate each application to identify any barriers to development or redevelopment.

77.3(3) Approval. The authority may approve, deny or defer applications for a certificate of readiness. If the authority approves an application for a certificate of readiness, the authority will issue a certificate of readiness in accordance with rule 261—77.5(15E).

[ARC 0002D, IAB 1/21/26, effective 2/25/26]

261—77.4(15E) Evaluation criteria.

77.4(1) General. When evaluating applications for certificates of readiness, the authority will consider the following criteria:

- a. The thoroughness and detail of the site development plan.
- b. The site development plan’s regard for compliance with applicable regulations, including without limitation land-use and zoning restrictions or environmental or cultural protections.
- c. The presence of or planning for viable transportation infrastructure.
- d. The presence of or planning for viable utility infrastructure.
- e. The geologic and natural characteristics of the site development area(s), including the proximity or inclusion of any floodplains.
- f. The ownership and control of the site development area(s).
- g. Demonstrated support, including without limitation financial and local support, for the site development plan.

77.4(2) Additional consideration. In addition to the general criteria described above, the authority may consider whether a site development plan for a site development area utilizes sustainable design

and practices. For purposes of this subrule, “sustainable design” means construction design intended to minimize negative environmental impacts and to promote the health and comfort of building occupants.

[ARC 0002D, IAB 1/21/26, effective 2/25/26]

261—77.5(15E) Certificate of readiness.

77.5(1) Certification. Upon approval of an application, the authority will issue a certificate of readiness to the applicant. The certificate of readiness will include a short description of how the site development plan meets the general criteria described in subrule 77.4(1) and will include whether the site development plan meets the additional consideration described in subrule 77.4(2). The certificate of readiness will be valid for the term described on the certificate, which may vary for each site development area depending on the nature of the development and the site characteristics. In no event shall the term of a certificate exceed ten years.

77.5(2) Recertification. The local government or local economic development official responsible for the site development area shall reapply for a certificate of readiness under these rules for the site to be considered for a subsequent certificate of readiness.

[ARC 0002D, IAB 1/21/26, effective 2/25/26]

261—77.6(15E) Consultation. The authority may contract with third parties to provide site development consultations. The applicant will be required to enter a contract with the authority that provides for reimbursement of all or a portion of the cost of site development consultations if, during the period the certificate of readiness is effective, the owner(s) of a site or park sell(s), give(s) away, or otherwise dispose(s) of the site or park or any portion of the site development area for a purpose or use other than a purpose or use for which the site was certified.

[ARC 0002D, IAB 1/21/26, effective 2/25/26]

These rules are intended to implement Iowa Code section 15E.18.

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