

**661—310.5(103A) Sustainable design criteria for commercial projects.** A commercial building construction project shall be approved as sustainably designed if it meets the following applicable requirements:

**310.5(1)** If approval as a sustainably designed project is being sought in order to qualify for a tax credit or tax refund, the project shall be approved as sustainably designed if the building receives certification from the United States Green Building Council at the gold level or better in the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, version 3.0; and if the building complies with the requirements of ASHRAE 90.1-2007, Energy Standard for Buildings Except Low-Rise Residential Buildings, published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers, 1791 Tullie Circle, NE, Atlanta, GA 30329.

Exception:

If a good-faith effort has been made to obtain certification at the gold level or above in the LEED Green Building Rating System, version 3.0, and certification at the gold level has not been obtained, but certification at the silver level has been obtained, application may nonetheless be made to the building code commissioner for approval as a sustainably designed project. The commissioner may approve the project as sustainably designed provided that the building is fully in compliance with ASHRAE 90.1-2007, Energy Standard for Buildings Except Low-Rise Residential Buildings, published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers, 1791 Tullie Circle, NE, Atlanta, GA 30329, and demonstration is made to the satisfaction of the building code commissioner that a good-faith effort to achieve certification at the gold level was made and that the project demonstrates an emphasis on energy conservation.

**310.5(2)** If approval as a sustainably designed project is being sought other than for the purpose of obtaining a tax credit or tax refund, the project shall be approved as sustainably designed if the building receives certification from the United States Green Building Council at the silver level or better in the LEED Green Building Rating System, version 3.0; and if the building complies with the requirements of ASHRAE 90.1-2007, Energy Standard for Buildings Except Low-Rise Residential Buildings, published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers, 1791 Tullie Circle, NE, Atlanta, GA 30329.

Exception:

If a good-faith effort has been made to obtain certification at the silver level or above in the LEED Green Building Rating System, version 3.0, and certification at the silver level or above has not been obtained, but certification has been obtained, application may nonetheless be made to the building code commissioner for approval as a sustainably designed project. The commissioner may approve the project as sustainably designed provided that the building is fully in compliance with ASHRAE 90.1-2007, Energy Standard for Buildings Except Low-Rise Residential Buildings, published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers, 1791 Tullie Circle, NE, Atlanta, GA 30329, and demonstration is made to the satisfaction of the building code commissioner that a good-faith effort to achieve certification at the silver level was made and that the project demonstrates an emphasis on energy conservation.

**310.5(3)** If the project includes only the following commercial structures, the project shall be approved as sustainably designed if it satisfies all of the mandatory criteria of the Iowa green streets criteria:

- a. Day care centers.
- b. Vocational rehabilitation centers.
- c. Community centers.
- d. Senior centers.

Exception:

Application may be made to the building code commissioner to accept satisfaction of all of the mandatory criteria of the Iowa green streets criteria, published by the Iowa department of economic development, community development division, as the basis for approval of other commercial projects as sustainably designed. Such submission should be limited to smaller commercial projects, and approval as a sustainably designed project is at the discretion of the building code commissioner, who shall award such

approval only if the building code commissioner is convinced that the Iowa green streets criteria are applicable to the project. Written approval for use of the Iowa green streets criteria pursuant to this exception shall be sought and obtained prior to submission of an application for approval as a sustainably designed project.

**310.5(4)** If a project involves the construction of a building or a portion of a building intended to host a data center or operations of a web portal business, it shall be approved as sustainably designed if the project receives certification from the United States Green Building Council in the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, version 3.0, and complies with the requirements of ASHRAE 90.1-2007, Energy Standard for Buildings Except Low-Rise Residential Buildings, published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers, 1791 Tullie Circle, NE, Atlanta, GA 30329.

Exception:

If a good-faith effort has been made to obtain certification in the LEED Green Building Rating System, version 3.0, and certification has not been obtained, application may nonetheless be made to the building code commissioner for approval as a sustainably designed project. The commissioner may approve the project as sustainably designed provided that:

1. The project is in full compliance with ASHRAE 90.1-2007, Energy Standard for Buildings Except Low-Rise Residential Buildings, published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers, 1791 Tullie Circle, NE, Atlanta, GA 30329, and
2. Demonstration is made to the satisfaction of the building code commissioner that a good-faith effort to achieve certification was made and that the project demonstrates an emphasis on energy conservation.

**310.5(5)** The building satisfies any alternative set of criteria submitted in advance to the commissioner and approved by the commissioner as equivalent to the requirements set forth in subrule 310.5(1) or 310.5(2), as applicable.

[ARC 7773B, IAB 5/20/09, effective 7/1/09; ARC 8441B, IAB 1/13/10, effective 1/1/10]