

#### 14.64.240 - Model Home.

- A. Purpose. The purpose of this chapter is to permit the construction of a limited number of model homes, on an approved preliminary plat, prior to final plat approval. Allowing model homes provides the opportunity for builders and developers to showcase their product prior to final plat approval. Nothing in this chapter shall be construed as permitting model homes in short subdivisions.
- B. Approval authority. The Planning and Public Works Director are authorized to approve, approve conditionally, or deny model home applications.
- C. Criteria. A subdivision having received preliminary plat approval is eligible for model homes, provided the following criteria are met:
  - 1. The applicant has submitted and received all required permits and approvals required of the preliminary plat approval;
  - 2. Construction of the plat infrastructure must be substantially complete as determined by the City Engineer and Public Works Director. All curb/gutter, pavement base layer, and City utilities shall be installed and approved prior to model home construction;
  - 3. All critical areas upon or immediately adjacent to the areas of the subdivision serving the model home(s) have been protected or mitigated, in accordance with adopted critical areas regulations and preliminary plat approval;
  - 4. All General Facilities charges, Impact Fees, and Building Department fees shall be paid prior to model home building permit release;
  - 5. An instrument has been recorded against the parcels containing the model home(s) stating, "Model home(s) are subject to removal should the preliminary plat not receive final plat approval or the approval period has expired." This instrument shall remain in effect until the plat is recorded or the home(s) are removed;
  - 6. The model home shall comply with the preliminary plat approval, municipal code standards and requirements;
  - 7. Lot property corners of all lots proposed to be used for the model home(s) have been set by a licensed, professional land surveyor in accordance with the preliminary plat lot configuration.
- D. Number permitted. The number of model homes permitted for each subdivision shall not exceed two homes.
- E. Application requirements. The following information shall be required in addition to the standard submittal requirements for a single-family residential building permit:

1. The applicant shall have written authorization from the property owner permitting the model home(s) if the applicant is other than the owner of the approved preliminary plat;
  2. Title report current within the last thirty days;
  3. Name of approved preliminary plat as well as the proposed name of the final plat (if different);
  4. Parent tax parcel number(s) involved in the complete development;
  5. Date of preliminary plat approval;
  6. Date of preliminary plat approval expiration;
  7. Copy of adopting resolution or motion approving the preliminary plat approval;
  8. Overall site plan showing the preliminary plat, including phases (if applicable) and the location of all proposed model homes.
  9. Submittal of financial securities at one hundred fifty percent of a contractor's cost estimate, approved by the city, necessary to restore the site to conditions existing prior to the construction of the model home(s) and all associated structures and improvements.
- F. Occupancy requirements. No model home shall be occupied for residential use prior to recording of the final plat. No model home shall be sold, leased, rented or otherwise transferred in ownership until the final plat is recorded, unless the property interest is transferred in conjunction with a transfer in interest of the plat as a whole.
- G. Duration permitted. The model home(s) and/or sales trailer may be used for no more than twenty-four months from the date of the model home permit approval, or no longer than the expiration of the preliminary plat approval, whichever is greater.
- H. Removal. The model home(s) and all associated improvements, including but not limited to a sales trailer and parking lot, shall be removed within six months of the following occurrences:
1. Preliminary plat approval has expired and no extension has been granted.
  2. The subdivision was denied final plat approval and/or requires substantial improvements not consistent with the design of the preliminary approved as determined by the Planning and Public Works Director.
  3. The permitted approval period has expired.