

CITY OF SAN LUIS
PLANNING AND ZONING DEPARTMENT
POLICIES AND PROCEDURES

SUBJECT: Temporary Use and Building Permits for Model Homes and Temporary Sales Office

EFFECTIVE DATE: <DATE>

ISSUE:

Can building permits be issued for model homes and/or sales trailers prior to the subdivision improvements being 100-percent complete and accepted by the City?

PURPOSE:

To establish procedures to allow construction of model homes and/or installation of temporary sales office in a subdivision prior to the subdivision improvements being 100-percent complete and accepted by the City.

SCOPE:

This policy shall apply to issuance of temporary use and building permits for model home and/or sales office in residential subdivisions.

BACKGROUND:

Historically, issuance of building permits for sales offices and/or model homes was not permitted until construction of the subdivision was complete. However, the current Zoning Regulations allows model homes or temporary sales office pertaining to the sale of homes being constructed in the immediate subdivision as a temporary use. In an effort to assist in marketing the product earlier in the subdivision development process, staff has created this method to allow construction of model homes and/or temporary sales office.

POLICY:

For the purpose of building permits for model home or temporary sales office, the following shall apply:

1. This policy shall not apply to land partitions.
2. A temporary use permit and any applicable building permits shall be obtained prior to the construction/installation of any model home and/or temporary sales office.
3. A maximum of one model home is allowed for subdivisions with 1 to 10 lots, two model homes for subdivisions with 11 to 20 lots, and no more than four model homes for subdivisions with 21 or more lots. The determination of the number of allowed building permits for model homes will be made based on the final plat application in progress and not on later final plat applications in a phased plan.

4. The applicant shall have a registered professional surveyor stake the model home foundation to demonstrate to the building inspector that the structure will be placed consistent with the final plat approval.
5. The Public Works Director or his/her designee shall determine which lots are available for model home construction and/or temporary sales offices. The lots shall be within close proximity to a pre-existing arterial, collector, or other pre-existing public street as acceptable to the Public Works Director.
6. All street for emergency access and water supply for fire protection should be in accordance with the requirements of the Fire Department.
7. A demolition bond will be required when a developer requests to construct model homes in a subdivision that has not been recorded. This demolition bond is required to recover costs associated with removing the homes in the event the subdivision is not approved. The required bond amount will be \$15,000.00 dollars per home.
8. Building permits for model homes shall only be issued to the subdivision owner or his/her agent. In no case shall the number of building permits exceed that permitted by Section 3 of this policy.
9. The applicant shall submit a written statement in a form approved by the City Attorney that holds the City of San Luis harmless of any consequences that would arise by allowing issuance of building permits for model homes and sales facilities. All cost to remedy problems that arise shall be borne by the applicant. Approval of the building permit(s) for one or more model homes shall not be construed to mean that the public improvements are defect-free, complete, or accepted by the City or that the development is in compliance with any City code or requirements.
10. No connection of the model home or temporary sales office to any water, sanitary, or storm sewer utility shall be allowed unless the system(s) are deemed substantially complete by the Public Works Director or his/her designee.
11. No residential occupancy shall be allowed until a notice of completion of the public improvements is obtained from the Public Works Department.
12. No occupancy or use of a temporary sales office shall be allowed until a temporary use permit and a temporary certificate of occupancy has been issued. Temporary sales office shall be removed upon expiration of the temporary use permit.

QUESTIONS: Questions regarding application of this policy should be directed to the Planning and Zoning Department.