

DEPARTMENT: Growth Management

DATE ADOPTED: January 26, 1994

DATE OF LAST REVISION: N/A

**412.01 AUTHORITY:** Ordinance # 93-0-00042, amending Section 21-3-4 of the City Subdivision Code and adopted January 26, 1994.

**412.02 SCOPE APPLICABILITY:** This policy applies to the construction of model residential units in new single family subdivisions at any time between the approval of the preliminary plat and the recording of the final plat.

**412.03 POLICY STATEMENT:**

- A. It is the policy of the City of Tallahassee to issue permits for the construction of up to three (3) model homes in new residential subdivisions, prior to the completion of all infrastructure, if:
  - 1. the preliminary plat for the subdivision has been approved and permits for the construction of the public infrastructure have been issued;
  - 2. the developer of the subdivision has entered into a "utility letter of agreement" with the City which specifies the number of model homes that will be permitted;
  - 3. the model homes will not be inhabited as dwellings and will only be used for display and sales purposes until after the final plat has been recorded;
  - 4. no permanent utility connections shall be made to the model homes until after the final plat has been recorded;
  - 5. the lot on which the model home is located will not be sold until after the final plat is recorded; and
  - 6. the developer has entered into a "Model Home Construction Agreement" (Exhibit #1) which specifies the conditions under which the model homes are permitted.
  
- B. The execution of a utility letter of agreement and the issuance of permits to construct model homes do not obligate the City of Tallahassee to supply any utility or access to the model homes until such utilities and roadways have been constructed and accepted by the City for maintenance.

**412.04 ACTION SECTION:**

- A. The utility letter of agreement is drafted at some time after the approval of the preliminary plat but prior to the start of any site construction. If the developer wishes to construct, or allow for the construction, of any model homes prior to the recording of the final plat, he/she shall so indicate during the negotiations on the utility letter of agreement and a clause will be included in the agreement specifying how many model homes may be built.
- B. A separate "Model Home Construction Agreement" shall be executed by each builder who wishes to construct model homes. A copy of this agreement shall be submitted with each application for a model home.

**412.05 DEFINITIONS:**

- A. **Model Home:** One (1) residential unit, built to be representative of other residential units, to be used for display and/or as a sales office while other units are under construction.
- B. **Utility Letter of Agreement:** An agreement between the City of Tallahassee and a project developer, which specifies, among other things, the standards that must be met by developer-installed infrastructure, the terms for reimbursement by the City for developer-installed infrastructure, and any special conditions that may be applicable to the project.

**412.06 ADMINISTRATION:** The Growth Management Department.

**412.07 SUNSET REVIEW:** January 26, 1999 (5 years after adoption).

**412.08 EFFECTIVE DATE:** January 26, 1994 (date of adoption).