

PDS Director's Rule 20-01



Snohomish County

Planning and Development Services

Department: Snohomish County Planning and Development Services	Pages: 3	Supersedes: N/A
	Adopted: January 13, 2021	Effective: January 13, 2021
Subject and Title: Allowing Model Homes in Short Subdivisions	Code and Section Reference: SCC 30.41A.500 through 30.41A.550	
	Type of Rule: Code Clarification and Implementation	
	Cite Basis: Chapter 30.82 SCC	
Approved: <u>Barbara Mock</u> <small>Barbara Mock (Jan 13, 2021 08:51 PST)</small> Barbara Mock, Director	Date: <u>Jan 13, 2021</u>	

BACKGROUND:

SCC 30.41A.500 through 30.41A.550 allow the construction of model homes prior to final plat (subdivisions of 10 or more lots in urban growth areas or 5 or more lots in outside of urban growth areas) approval and recording. All site infrastructure and life safety improvements must be completed prior to issuance of a model home permit. Allowing model homes prior to final plat approval results in delivering housing to the market in a timely manner.

Under state law and county code, short subdivisions are considered subdivisions (the only significant difference being the number of lots and approval process). Title 30 SCC is silent on allowing model homes to be constructed in short subdivisions, leaving a gap in the regulatory purpose of expeditiously bringing housing to market. In addition, this gap results in an unequal application of the code to subdivisions and short subdivisions. Snohomish County GMA Comprehensive Plan Objective ED 2.A requires the county: "Develop and maintain a regulatory system that is fair, understandable, coordinated and timely." The gap in code related to model

homes prevents the department from fully effectuating this general statutory scheme.

PURPOSE:

The intent of this rule is to fill gaps in code related to model home provisions in SCC 30.41A.500 through 30.41A.550. Applying such provisions to short subdivisions (9 lots or less in urban growth areas or 4 lots or less outside of urban growth areas) is necessary to effectuate a general statutory scheme designed to meet market demand for housing and applied equally to subdivisions and short subdivisions.

RULE:

SCC 30.41A.500 through 30.41A.550 shall apply to short subdivision applications submitted under chapters 30.41B SCC, 30.42B SCC, and 30.41C SCC. All references to “subdivision” shall also mean “short subdivision.”

FINDINGS:

The following findings support the purpose of this rule:

1. There is a regionwide housing shortage; and
2. There are gaps in the regulation of model homes; and
3. This rule is necessary to effectuate a general statutory scheme and to ensure equal treatment of subdivisions and short subdivisions with regards to model homes; and
4. The model home provisions in SCC 30.41A.500 through 30.41A.550 require site infrastructure and life safety requirements be fulfilled prior to issuance of a building permit for model homes; and
5. The model home provisions in SCC 30.41A.500 through 30.41A.550 do not allow occupancy of the structure prior to final subdivision approval; and
6. The model home provisions of SCC 30.41A.500 through 30.41A.550 protects the health, safety, and welfare of the public.
7. Pursuant to Chapter 30.82 SCC, the public participation process and notification requirements for this rule have been satisfied.

RULEMAKING PROCESS:

The following provides the procedural process for adoption of this rule:

Rulemaking Process		
Notice of Proposed Rule		
Filed with Council Clerk	December 8, 2020	
Posted at Counter	December 8, 2020	
Published	December 8, 2020	The Herald, no comments received

Comment Period (21 days)	December 29, 2020	
Notice of Rule Adoption		
Filed with Council Clerk	January 13, 2021	
Published	January 19, 2021	The Herald, no comments received
Copies to Commenters	N/A	No comments received






Rule 20-01_Model Homes

Final Audit Report

2021-01-13

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