

# Rural Cluster Subdivision Third Party Certification Proposed Code Amendment

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# Code Under Consideration

- Limited scope – only code section under consideration is SCC 30.41C.030(6)
- 3<sup>rd</sup> Party Certification added to code as requirement for preliminary subdivision approval before passage of 24-021
- 3<sup>rd</sup> Party Certification cannot be received until after building occupancy
  - Code needs to be amended to allow preliminary approval of rural cluster subdivisions
- MBA has requested that 3<sup>rd</sup> Party Certification of entire subdivisions be removed
  - Many of the same requirements are present in individual dwelling certification

# Code Change Rationale

- Under adopted code, RCS cannot receive preliminary subdivision approval until proof of certification for community and all dwellings is provided
  - Proof of certification cannot be obtained until after occupancy
- 8 RCS applications are currently under review, totaling over 500 lots
- If adopted code is not updated, the 8 subdivisions currently under review would not be able to be approved
- The amendments are necessary to allow RCS applications to progress



# SCC 30.41C.030, Enacted by Am. Ord. 24-021

(6) Rural cluster subdivisions and short subdivisions must provide documentation of third party certification prior to receiving preliminary approval. Conditions of approval for the subdivision or short subdivision shall require all lots containing new buildings receive third party certification prior to issuance of individual building permits. Options for third party certification are:

(a) Built Green Community certification for the preliminary approval and Built Green Single Family/Townhome certification for building permits;

(b) LEED Neighborhood Development certification for the preliminary approval and LEED Home certification for building permits; or

(c) Additional third party certification as approved by the director and adopted through administrative rule. (Added by Amended Ord. 02-064, Dec. 9, 2002, Eff date Feb. 1, 2003; Amended by Amended Ord. 08-087, Feb. 4, 2009, Eff date Apr. 5, 2009; Amended by Amended Ord. 24-021, Aug. 28, 2024, Eff date Sept. 19, 2024).

# Proposed Change to SCC 30.41C.030

(6) ~~((Rural cluster subdivisions and short subdivisions must provide documentation of third party certification prior to receiving preliminary approval.))~~ Conditions of approval for the subdivision or short subdivision shall require that all lots containing new buildings ~~((receive))~~ provide proof of enrollment in a third party certification program prior to issuance of individual building permits.

Options for third-party certification are:

- (a) ~~((Built Green Community certification for the preliminary approval and))~~ Built Green Single Family/Townhome certification for building permits;
- (b) ~~((LEED Neighborhood Development certification for the preliminary approval and))~~ LEED Home certification for building permits; or
- (c) Additional third party certification as approved by the director and adopted through administrative rule.

# Proposed Change to SCC 30.41C.030

(6) Conditions of approval for the subdivision or short subdivision shall require that all lots containing new buildings provide proof of enrollment in a third-party certification program prior to issuance of individual building permits. Options for third-party certification are:

- (a) Built Green Single Family/Townhome certification for building permits;
- (b) LEED Home certification for building permits; or
- (c) Additional third-party certification as approved by the director and adopted through administrative rule.



# Summary

- Scope of changes limited to SCC 30.41C.030(6)
- Changes fix conflict between permit review and 3<sup>rd</sup> party review
- Removal of 3<sup>rd</sup> party review of entire subdivision
  - Only dwellings receive 3<sup>rd</sup> party review



# Questions?

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