

Unified Development Ordinance (UDO) Proposed Text Amendment

UDO Change Log Number: 2018-37

Date: 10/18/21

UDO Revision Affected: 2018/01/31

Change Status: 2- (Public Participation)

I. UDO Article Description: Improvement Location Permit

UDO Article #: 9.05

UDO Page #: 9-5

Change Category: Replace with New Standard

Comp Plan Objectives: 3.1.1 and 3.1.2

II. Description of Change:

This change will require home business to get an Improvement Location Permit (ILP)

III. Basis for Change:

Town Council requested the Plan Commission revisit the HB standards to better fit the needs of our community after receipt of complaints from neighbors by currently operating home businesses. Update must be consistent with comprehensive plan 3.1.1 and 3.1.2

IV. Change Language (From, To):

From:

**9.05 Improvement Location Permit**

A. **Applicability:** An Improvement Location Permit shall be required prior to permanent construction, installation, addition, alteration, or relocation of a structure; prior to permanent alteration to the land; and prior to establishment of a new land or change an existing land use. The following are examples of projects necessitating an Improvement Location Permit process:

- Constructing, altering, or modifying a house or cottage
- Constructing, altering, or modifying an accessory structure (e.g. garage, carport, shed, pool house)
- Altering or modifying a structure's height, roof pitch, or massing (e.g. adding a dormer)
- Constructing or modifying impervious surface (e.g. driveway, sidewalk, patio)
- Installing a swimming pool
- Installing, altering, or modifying a fence
- Constructing, altering, or modifying a deck or retaining wall
- Installing a permanent sign
- Constructing a pond
- Outdoor mechanical equipment

B. **Exemption from Improvement Location Permit:** This exemption is only from having to obtain an Improvement Location Permit. It is not an exemption from having to meet all applicable regulations in this Unified Development Ordinance. Any project exempt from having to acquire an Improvement Location Permit that is in violation of this Unified Development Ordinance is subject to *Article 10: Enforcement and Penalties*. The following projects are exempt from having to obtain an Improvement Location Permit.

1. **Agriculture:** An agricultural related accessory structure is exempt from obtaining an Improvement Location Permit.
2. **Softscaping and Hardscaping:** Installing trees, shrubs, plants, and flowers; applying mulch or soil enhancers; raising of planting beds around foundations; and installing accent hardscaping (e.g. stone steps, stone edging, or small retaining walls) is exempt from obtaining an Improvement Location Permit as long as there is no adverse affect to drainage.
3. **Sign Content Change:** Sign content may be changed without having to receive an Improvement Location Permit.
4. **Flag Pole:** Flag poles may be installed without obtaining an Improvement Location Permit.
5. **Play Set:** Playsets that do not project more than ten (10) feet off the ground, do not utilize more than seventy-five square feet in area, and do not include any roof or wall features may be installed without obtaining an Improvement Location Permit.
6. **Type 1 Home Business:** Type 1 home businesses may commence without obtaining an Improvement Location Permit.
7. **Property Maintenance:** Maintenance and repairs to the existing structure or site features may commence without obtaining an Improvement Location Permit. Outdoor mechanical equipment shall not be exempted by this provision.
8. **Adding or Changing Light Fixtures:** Light fixtures may be added or changed without obtaining an Improvement Location Permit.
9. **Decorative Fences:** Decorative fences as described in Section 5.23(B)(2): Decorative Fence Permit Exemption and as defined may be installed without obtaining an Improvement Location Permit.

To:

**9.5 Improvement Location Permit**

A. **Applicability:** An Improvement Location Permit shall be required prior to permanent construction, installation, addition, alteration, or relocation of a structure; prior to permanent alteration to the land; and prior to establishment of a new land or change an existing land use. The following are examples of projects necessitating an Improvement Location Permit process:

- Constructing, altering, or modifying a house or cottage
- Constructing, altering, moving or modifying an accessory structure (e.g. garage, carport, shed, pool house)
- Altering or modifying a structure's height, roof pitch, or massing (e.g., adding a dormer)
- Constructing or modifying impervious surface (e.g., driveway, sidewalk, patio)
- Installing a swimming pool
- Installing, altering, or modifying a fence
- Constructing, altering, or modifying a deck or retaining wall
- Installing a permanent sign
- Constructing a pond
- Outdoor mechanical equipment

B. **Exemption from Improvement Location Permit:** This exemption is only from having to obtain an Improvement Location Permit. It is not an exemption from having to meet all applicable regulations in this Unified Development Ordinance. Any project exempt from having to acquire an Improvement Location Permit that is in violation of this Unified Development Ordinance is subject to *Article 10: Enforcement and Penalties*. The following projects are exempt from having to obtain an Improvement Location Permit.

1. *Agriculture:* An agricultural related accessory structure is exempt from obtaining an Improvement Location Permit.
2. *Softscaping and Hardscaping:* Installing trees, shrubs, plants, and flowers; applying mulch or soil enhancers; raising of planting beds around foundations; and installing accent hardscaping (e.g. stone steps, stone edging, or small retaining walls) is exempt from obtaining an Improvement Location Permit as long as there is no adverse affect to drainage.
3. *Sign Content Change:* Sign content may be changed without having to receive an Improvement Location Permit.
4. *Flag Pole:* Flag poles may be installed without obtaining an Improvement Location Permit.
5. *Play Set:* Playsets that do not project more than ten (10) feet off the ground, do not utilize more than seventy-five square feet in area, and do not include any roof or wall features may be installed without obtaining an Improvement Location Permit.
6. *(Deleted)*
7. *Property Maintenance:* Maintenance and repairs to the existing structure or site features may commence without obtaining an Improvement Location Permit. Outdoor mechanical equipment shall not be exempted by this provision.
8. *Adding or Changing Light Fixtures:* Light fixtures may be added or changed without obtaining an Improvement Location Permit.
9. *Decorative Fences:* Decorative fences as described in Section 5.23(B)(2): Decorative Fence Permit Exemption and as defined may be installed without obtaining an Improvement Location Permit.

V. Summary of Public Comment:

VI. Plan Commission Recommendation: Favorable

Prepared By: Tyson Johnston / Larry Lillmars

Date Codified: \_\_\_\_\_



Unified Development Ordinance (UDO) Proposed Text Amendment

UDO Change Log Number: 2018-38

Date: 10/18/21

UDO Revision Affected: 2018/01/31

Change Status: 2- (Public Participation)

I. UDO Article Description: Sign Standards  
UDO Article #: 5.67  
UDO Page #: 5-59  
Change Category: Replace with New Standard  
Comp Plan Objectives: 3.1.1 and 3.1.2

II. Description of Change:

Home business shall comply with Sign Standards

III. Basis for Change:

Town Council requested the Plan Commission revisit the HB standards to better fit the needs of our community after receipt of complaints from neighbors by currently operating home businesses. Update must be consistent with comprehensive plan 3.1.1 and 3.1.2

IV. Change Language (From, To):

From:  
C. Cross Reference:  
1. *Home Businesses:* Signs associated with a home business shall be exempt from the Sign Standards section, but shall comply with the standards in *Section 5.31: Type 1 Home Business Standards* and *Section 5.32: Type 2 Home Business Standards*.

To:  
C. Cross Reference:  
1. *Home Businesses:* Signs associated with a home business shall be exempt from the Sign Standards section but shall comply with the standards in *Section 5.31: Home Business Standards*.

V. Summary of Public Comment:

VI. Plan Commission Recommendation: Favorable

Prepared By: Larry Lillmars

Date Codified: \_\_\_\_\_

