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**Sec. 20-10 Specific Purpose**

The purpose of this district is to permit low-density single-family residential development and appropriate public uses.

**Sec. 20-20 Uses Classification**

R-1 uses shall be in accordance with Table 20-1, Land-Use Classification.

**Table 20-1 Land-Use Classification**

Uses Permitted by Right
LBCS - 1100 - <b>Detached units</b> - <i>Detached single-family residential structures and site condominiums</i>
LBCS - 1130 - <b>Accessory units</b> - <i>Use this category for an accessory unit, which is structurally separate and distinct from the main structure. An accessory unit is a second dwelling unit (structure-wise) that is added to an existing lot for use as a complete and independent facility.</i>
<i>See Section 157.70 for accessory dwelling requirements and development standards</i>

**Sec. 20-30 R-1 Development Regulations**

No building or structure, or part thereof, shall be erected, altered, or used, or the land used, in whole or part unless it meets the following development standards.

- A. A lot shall have only one principal structure or use.
- B. Every lot on which a structure is erected shall front on a dedicated and improved street or public right-of-way conforming to Clarksville minimum development standards.
- C. Every lot that fronts or is adjacent to two or more streets or rights-of-way, [excluding freeways or alleys], shall have a front yard setback for each yard fronting upon on or adjacent to such street or right-of-way.
- D. Where a lot has less than the width required by this zoning ordinance, and is a lot of record prior to the effective date of this ordinance, such lot may be occupied by a one single family detached dwelling unit or a use permitted by right in an R-1 district. No occupancy permit shall be issued until all street and traffic control signs are installed.
- E. Single units shall have only one driveway per dwelling unit. The driveway shall be hard surface and not more that 20 wide extending from the front or side of the dwelling to the street. Except for parking in a garage or improved turn around, the driveway shall be the only parking area permitted.

**Sec. 20-40 R-1 Dimensional Development Standards**

Dimensional Development Standards shall be in accordance with Table 20-2.

Table 20-2. Dimensional Development Standards	
Dimension	Measurement
<i>Single Family or Manufactured Dwelling</i>	
Minimum lot area	8,000 square feet
Maximum dwellings per acre	5.45
Minimum floor area	1,400 square feet

<b>Table 20-2. Dimensional Development Standards</b>	
<b>Dimension</b>	<b>Measurement</b>
Minimum lot width	80 feet
Maximum lot coverage	35%
Minimum depth of front yard	30'
Minimum depth of rear yard	20'
Minimum side yard	At least 5'
Maximum height in feet and stories	30'/3
Number of off street parking spaces	2
Average lot area in condominium development	Lot area may be averaged

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**Sec. 25-10 Specific Purpose**

This district is intended for single, two family uses and limited public and quasi-public uses. This district does not make any provision for uses that generate significant vehicular traffic beyond the corporate limits of the Town of Clarksville. This district does not permit uses that require outdoor storage or outdoor display of merchandise.

**Sec. 25-20 Uses Classification**

R- 2 uses shall be in accordance with Table 25-1, Land-Use Classification.

**Table 25-1 Land-Use Classification**

Uses Permitted by Right
Any use permitted by right in an R-1 except for accessory dwelling units which require a site plan prior to approval
LBCS - 1120 - <b>Attached units</b> - <i>Usually two or more dwelling units side-by-side sharing one roof, but each unit has a separate front and rear access. Traditional condominiums are permitted with a development plan</i>
LBCS -1121 - Duplex <b>structures</b> - <i>Generally a two-unit building that is divided vertically, and each unit has a separate entrance from the outside or through a common vestibule.</i>
<i>See Section 150-150 for residential conversion requirement and development standards</i>
LBCS -1122 - <b>Zero lot line single family attached</b> - <i>Patio Homes and Traditional Condo only</i>
LBCS - 1360 - Other structurally converted buildings
<i>See Section 150-150 for residential conversion requirement and development standards</i>

**Sec. 25-30 R-2 Property Development Regulations**

- A. Every lot on which a structure is erected shall front on a dedicated street or public right-of-way improved to Town standard specifications and conforms to the minimum development standards of this section or Clarksville Subdivision Ordinance.
- B. Where a lot has less than the width required by this zoning ordinance and is a lot of record prior to the effective date of this ordinance, such lot may be occupied by one dwelling unit that is a use permitted by right in R-2 district, excepting new or converted structures for two-family dwellings. Every lot that faces two or more streets or rights-of-way [excluding freeways or alleys] shall have a front yard setback for each yard fronting upon such street or right-of-way.
- C. Every lot used for a residential dwelling shall have a side yard on each side. In the case of a corner lot, the front yard setback shall be observed for any side yard facing a street. In the case of zero lot line single-family, attached dwellings, the end dwelling unit shall observe only one side yard and has every 25 feet.
- D. Parking and driveway areas in infill developments shall be surfaced with porous concrete or asphalt.
- E. Any structure adjacent to any street shall have articulation every 25 feet.
- F. Single and duplex units shall have only one driveway per dwelling unit. The driveway shall be hard surface and not more than 25 wide extending from the front or side of the dwelling to the street. Except for parking in a garage or turn around, the driveway shall be the only parking area permitted.
- G. Dimensional Development Standards shall be in accordance with Table 25-2. Dimensional Development Standards.

**Table 25-2. Dimensional Development Standards**

Dimension	Measurement	
<i>Residential Use</i>		
Minimum lot area for single family detached dwelling unit	6,000 square feet	
Minimum lot area for single family attached	6,000 square feet	
Minimum lot area per unit two family duplex	3,630 square feet per unit	
Maximum dwellings per acre for single family dwelling units	7.26	
Maximum dwellings per acre for two-family dwelling units	12	
Maximum height	35'	
Minimum lot width	60'	
Minimum depth of front yard	25'	
Minimum depth of rear yard	20'	
Minimum width of each side yard	5'	
Minimum floor area of living space (Floor area per unit measured by outside measurements)	Single family dwelling	1200 sq. ft.
	Duplex	1000 sq. ft.
	One-bedroom unit	768 sq. ft.
	Two-bedroom unit	900 sq. ft.
	Three or more bedrooms	1000 sq. ft.
Minimum usable open space per dwelling unit	600 square feet per dwelling unit	
Maximum lot coverage	35%	

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**Sec. 30-10 Specific Purpose**

This district is intended for single-family, two-family and multi-family uses by right and limited public and quasi-public uses by "conditional use" or "special exception" permits.

**Sec. 30-20 Use Classification**

R-3 uses shall be in accordance with Table 30-1, Land-Use Classification.

**Table 30-1 Land-Use Classification**

Uses Permitted by Right
All permitted by right in a R-1 or R-2 district
LBCS - 1122 - <b>Zero lot line single family attached</b> - Traditional Condo
LBCS - 1140 - <b>Townhouses</b> - <i>A type of structure that has three or more separate dwelling units divided vertically, and each unit has separate entrance to a front and rear yard</i>
LBCS - 1200 - <b>Multifamily structures</b> - <i>These structures accommodate three or more dwelling units, and require a development plan. A minor development plan may be submitted for a unit having three or less dwellings. A major development plan is required for any structure having four or more dwelling unit.</i> > Any multiple family development in excess of 8 units shall submit a major development plan and be approved by the Plan Commission
LBCS - 1210 - Retirement housing services
LBCS - 1220 - Congregate living services
LBCS - 1230 - Assisted-living services
LBCS - 1240 - Life care or continuing care services
LBCS - 1250 - Skilled-nursing services
LBCS - 1320 - Rooming and boarding - following only are permitted > Dormitories > Fraternity houses > Hostels > Sorority houses > Workers' dormitories > Youth hostels
<b>Approved as a Special Exception by the Board of Zoning Appeals</b> <i>See Division 225: Special Exceptions</i>

**Sec. 30-30 R-3 Development Regulations**

Dimensional Development Standards shall be in accordance with Table 30-2. Dimension Development Standards.

**Table 30-2. Dimensional Development Standards**

Dimensions	Measurement
Minimum lot area for single family detached dwelling unit	6,000 square feet

Table 30-2. Dimensional Development Standards		
Dimensions	Measurement	
Minimum lot area per unit two family duplex	3,630 square feet per unit	
Minimum lot area per multi-family attached dwelling units (i.e. apartment building or complex)	2,420 square feet per unit	
Maximum dwellings per acre for single family dwelling units	7.26	
Maximum dwellings per acre for two-family dwelling units	12	
Maximum dwellings per acre for multi-family dwelling units	18	
Maximum height	35'	
Minimum lot width	80'	
Minimum depth of front yard	25'	
Minimum depth of rear yard	20'	
Minimum width of each side yard	10'	
Minimum floor area of living space (Floor area per unit measured by outside measurements)	Single family dwelling	1200 sq. ft.
	Duplex	1000 sq. ft.
	One-bedroom unit	768 sq. ft.
	Two-bedroom unit	900 sq. ft.
	Three or more bedrooms	1000 sq. ft.
Minimum usable open space	600 square feet per dwelling unit	
Maximum lot coverage	35%	
Parking	2 spaces per dwelling including garage	

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**Sec. 35-10 Specific Purpose**

This district is intended for commercial development leasing and location of mobile home parks and regulations and control of mobile homes within the manufacture home park sites. It is further intended that mobile home parks be well designed and adheres to high standards of development to insure compatibility with surrounding areas and safety of occupants of mobile homes.

**Sec. 35-20 Purpose of Standards**

The purpose of these standards is to regulate the establishment and operation of mobile home parks in order to provide occupants of mobile homes with a suitable living environment. These standards are based upon the premises that the use of mobile homes, buildings, and structures and improvements are necessary to occupants of a mobile home park. It is also the purpose of these standards to encourage the development and landscaping of mobile home parks so as to provide a park like setting for the mobile home occupants and a harmonious relationship with adjacent land uses.

**Sec. 35-30 Use Classification**

No mobile home, manufactured home or building or structure, or part thereof, shall be installed, erected, altered, or used, or land used, in whole or in part, or other than one or more of the following specified permitted uses in Table 35-1.

**Table 35-1 Land-Use Classification**

Uses Permitted by Right
LBCS - 1150 - <b>Manufactured housing</b> - <i>Also commonly referred to as factory-build housing, which includes modular, mobile homes, and manufactured homes</i>
LBCS - 2310 - Real estate services - following only are permitted <ul style="list-style-type: none"> <li>➤ Manufactured (mobile) home parks</li> <li>➤ Manufactured (mobile) home sites rental or leasing</li> <li>➤ Mobile (manufactured) home parks</li> <li>➤ Mobile (manufactured) home site rental or leasing</li> <li>➤ Motor home rental on site</li> <li>➤ Residential trailer parks</li> <li>➤ Trailer park or court, residential</li> </ul>
LBCS - 2322 -Rental housing - related - following only are permitted <ul style="list-style-type: none"> <li>➤ Mobile (manufactured) home, on site, rental or leasing</li> </ul>

**Sec. 35-40 Limitation of Uses**

The area planned for a manufactured home park shall be a minimum of five [5] gross acres. Such acres may be developed in two [2] or more phases, provided that said phases conform in all respects with the overall manufactured home park development plan and are developed within the prescribed period of time. No manufactured home site shall be leased in any manufactured home park for a term of less than thirty [30] days.

**Sec. 35-50 Approval of Manufactured Home Park**

No manufactured home shall be located, or site prepared, nor shall any permission for use be issued thereof, unless and until the necessary manufactured home park development plans are officially approved by the Plan Commission. A manufactured home shall be located and maintained in full conformity with the manufactured home development plan as approved for in each MHP district. In addition to compliance with the requirements set forth herein, and in conformity with all applicable ordinances and law of the state of Indiana, each manufactured home park shall also meet the requirements provided by the Indiana Manufactured Home Park Act of 1955 and all amendments thereto; and the Indiana State Board of Health regulations and all amendments thereto.

**Sec. 35-60 Preliminary Development Plan**

An applicant desiring the approval of a manufactured home park shall submit to the commission a preliminary development plan. The preliminary development plan shall be drawn on a scale of not less than one hundred [100] feet to one [1] inch on a sheet twenty-four [24] by thirty-six [36] inches, except that when the drawings of the scale require more than two [2] sheets plans may be drawn on a scale of two hundred [200] feet to one [1] inch and should contain the following information.

- A. Proposed name of Manufactured Home Park.
- B. Legal description and vicinity map showing location of the Manufactured Home Park in relationship to the town and major transportation routes.
- C. Name and address of property owners, and proof of ownership or interest.
- D. Graphic scale, north point and date.
- E. Existing Conditions:
  - 1. Boundary lines of proposed park indicated by solid, heavy line
  - 2. Location, width, and name of all existing streets or other public ways, railroads and utility right-of-ways, permanent buildings or structures, sections in municipal, corporate lines within or adjacent to the tract.

3. Location of existing sanitary and storm lines and facilities, waterlines, culverts, and other underground and above ground facilities, indicating pipe sizes and grades within and adjoining the proposed park.
4. Property lines of adjoining land showing adjoining streets, easements, and owner's name.
5. Existing and proposed topography, contour intervals not to exceed two [2] feet, except where such an interval is impractical.
6. Location of street lights.
7. Location and width of sidewalks, if street lights are installed on only one side of the street the sidewalk shall be installed on the same side of the street as the lights.
8. Location of fire hydrants.
9. Location of dumpsters.
10. In the case of a revised development plan, all description of the original site lines being vacated shall be shown by dotted lines in their proper position in relation to the new arrangement of the plan, the new development plan being clearly shown in solid line so as to avoid ambiguity and confusion.

**F. Proposed Conditions:**

1. Layout of streets, their proposed names and width and also the width of alleys, sidewalks and easements.
2. The name of the streets shall conform as far as practicable to names of corresponding streets existing in the vicinity of the mobile home park.
3. The name of the new streets, not an extension or correspondent of any existing street, shall not duplicate or be similar to that of any existing street or road in the Town or county.
4. Lay out, dimensions and number of manufactured home park, lots, or sites.
5. Parcels of land to be dedicated or reserved for public use.
6. Buildings setback lines showing dimensions.
7. Location site of recreational areas, business, service facilities, parking areas, other structures, driveways, landscaping, street lights, sidewalks, fire hydrants, signs and sewers, water and storm drainage [and method of storm water management] within the Manufactured Home Park and its effect on storm water management on adjoining and downstream properties.

**Sec. 35-70 Approval of Preliminary Development Plans**

- A. Public hearings shall be held by the Plan Commission in accordance with public notification and hearings for subdivision plats.
- B. Plan Commission Action: After holding a public hearing, the Plan Commission shall consider approval to the preliminary development plan. Such approval shall be governed by the following qualifications:
  1. The approval of the preliminary development plan by the Plan Commission indicates the general acceptance of the layout as submitted.
  2. The Plan Commission may introduce such changes or revisions as deemed necessary in the interest and need of the Town.
  3. Preliminary approval shall be in effect for a maximum period of three [3] months. The Plan Commission may, provide good cause is shown by the applicant and upon application, grant one [1] extension for a period of thirty [30] days; such application for extension shall be filed with the Plan Commission ten [10] days prior to expiration of the aforesaid three [3] month period. If the final development plans have not been approved within this time, the preliminary plans must again be submitted to the Plan Commission for approval.

4. Any person feeling himself aggrieved at any action of the Plan Commission upon any proposed development plan may apply in writing to the Plan Commission prior to its next meeting for modification of such action.
5. If the Plan Commission disapproves the development plan, it shall set its reasons in its own record and provide the applicant with a copy.

**Sec. 35-80 Approval of Final Development Plans**

After the approval, of the preliminary development plans by the Plan Commission and the fulfillment of the requirements of these regulations:

- A. The final development plan must be submitted in the form of an original tracing with waterproof ink on standard tracing cloth or approved equivalent and three [3] prints thereof resubmitted to the Plan Commission. The final development plan so submitted may include the entire area of the preliminary development plan as approved or such portion of it that shall provide consecutive development units. The final development plans shall be prepared at the same scale as preliminary development plan as approved or such portions of it, which will provide consecutive development units and shall contain that the information provided in the preliminary development plan. All final development plans shall be prepared by a registered engineer or land surveyor duly registered to practice in the state of Indiana with his seal affixed hereto and must have certification endorsed thereof by the Town Street Superintendent and Town engineer that all streets, sidewalk curbs, gutters, sanitation and storm drainage facilities meet current Town standards as to such facilities.
- B. The final development plans shall be acted upon at the first meeting of the Plan Commission following its submittal, provided such plans have previously received preliminary approval, provided the final development plan is submitted to the Plan Commission not less than ten working days prior to such meetings. If the Plan Commission recommends the final development plan to the Town Council for approval, it shall forward the final development plan to the Town Council for final review and approval.
- C. If the Plan Commission disapproves the development plan, it shall set its reason in its own records and provide the applicant with a copy.
- D. All final development plans shall be recorded in the office of the Recorder of Clark County, Indiana.

**Sec. 35-90 MHP District Dimensional Development Standards**

Dimensional Development Standards shall be in accordance with Table 35-2, Development Standards

**Sec. 35-100 Pad and Skirting**

Each manufactured home shall be provided with a standard consisting of either a solid concrete slab or other adequate concrete support of a thickness and size adequate to support the maximum anticipated load during off-season. Each concrete ribbon or the area between the ribbons shall be filled with a layer of crushed stone or asphalt. Each concrete stand shall be provided with a minimum of six (6) anchor rings for each manufactured home. Each manufactured home unit shall have the undercarriage completely enclosed by skirting.

**Table 35-2. Development Standards**

Dimensional	Measurement
Minimum MHP lot size	5 acres
Minimum manufactured home site area	5,000 square feet
Minimum manufactured home site width	40'
manufactured home site front yard minimum	Not less than 15'
Side yard minimum	Not less than 5'
Rear yard minimum	15'
Minimum floor area	600 square feet
Maximum lot coverage	30 (%)

**Sec. 35-110 Landscaping**

- A. Lawns and ground cover provided where needed to prevent erosion of swells and slope in other areas to obtain unusable yard.
- B. Lawn or ground cover shall be appropriate for the use and location.

**Sec. 35-120 Lot Markers**

The boundary of each manufactured home site shall be permanently and visibly marked on the ground by flush stakes, markers, or other suitable means approved by the Plan Commission. Each manufactured home shall be numbered. The Building Commissioner shall assign the street address.

**Sec. 35-130 Water and Sewage**

Each manufactured home site shall be connected with water and sewer system serving the location of the proposed MHP. If in the event, such systems are not adjacent to or within a reasonable distance, then it shall be connected to a water system and sewage treatment and disposal system approved by the Clark County Health Department and the Indiana State Board of Health.

**Sec. 35-140 Utilities**

All interior utility lines, including, but not limited to electric, communications, street lighting, and cable television shall be properly installed underground. Individual antennas for television may be installed on each manufactured home site, but centralized antenna shall be encouraged.

**Sec. 35-150 Common Walks/Sidewalks**

Common walks at least four (4) feet in width and built to Town and ADA standards shall be provided in locations where pedestrian traffic is expected; for example, to the entrance, and to the office and other important facilities. No required walks herein shall be used as a drainage way or driveway. Walks shall be clear of any obstruction including but not limited to fire hydrants, mailboxes and utilities.

**Sec. 35-160 Streets**

Access to the manufactured home park shall be from a public street. The number and location of the access street shall be controlled by traffic safety and protection of surrounding properties. No manufactured home site, recreation area or service area shall be designed for direct access to a street outside the boundaries of the manufactured home park. All streets within the manufactured home parks shall have a minimum right-of-way of sixty (60) feet in width and shall be constructed according to the standards adopted by the Town of Clarksville, Indiana. In the event streets are not dedicated, the manufactured home park owner shall, construct streets to town standards.

**Sec. 35-170 Grading and Drainage**

Prior to construction, drainage plans shall be submitted to the Town Engineer for approval. All storm drainage must be situated underground. Manufactured home parks shall be graded and drained given due consideration to the protection of the proposed development and adjacent lands from adverse impact of storm water or flood hazard from water course or to provide for the conveyance of storm waters, both those originating outside or inside the proposed manufactured home park, through the development of storm water facilities of sufficient capacity to permit the upstream tributary and storm water within the manufactured home park to convey such water through the manufactured home park onto downstream adjacent land at pre development conditions. This does not imply that the developer make extensive or unreasonable improvements of existing inadequate drainage facilities on adjoining properties other than necessary for satisfactory operation of the drainage facility and proposed development. There shall be no increase in run-off due to the construction and operation of the MHP.

**Sec. 35-180 Illumination of Park**

All manufactured home parks shall be furnished with lighting fixtures, so spaced and equipped with luminaries placed at such mounting height and at such locations within the park so as to provide safe movement of pedestrians and vehicles. Such lights shall be located at all entrances and exits. Shields shall be installed so as to prevent direct illumination of any area outside the manufactured home park. Lighting shall meet the requirements of this zoning ordinance. Every part of a manufactured home park shall be lighted and meet the requirements of Division 190 of this zoning ordinance.

**Sec. 35-190 Fire Protection**

The manufactured home park shall meet the standards of adequate fire protection established by the National Fire Protection Association NFPA #501a and all amendments thereof. No open fires shall be permitted at any time, or place within the manufactured home park.

**Sec. 35-200 Trash and Refuse Storage**

Storage, collection and disposal of refuse in the manufactured home park shall be so conducted as to create no health hazard, odor, rodent harborage, nuisance, insect breeding areas, accident or fire hazards or air pollution. All refuse shall be stored in fly tight, water tight, rodent proof containers, then shall be located, not more than one-hundred and fifty (150) feet from any manufactured home site. Containers shall be provided in sufficient number to combat these hazards, and properly store all refuse. Refuse collection stands shall be so designed as to prevent containers from being tipped to minimize spillage and container deterioration and to facilitate cleaning around them. Garbage and trash, when not collected by municipal sponsored collection service shall be collected at least twice a week during the months of June, July, August and September and at least once a week during the other months of the year. Where suitable collection service is not available from municipal or private agencies, the manufactured home park operator shall dispose of the refuse by incineration or transferring to a licensed and properly operated disposal facility outside the parks area. Refuse incinerators, if provided, shall be constructed in accordance with specification of the Indiana State Health Department and, as appropriate, Indiana Fire Code. Incinerators shall be operated only when attended by some person specifically authorized by the owner or operator of the manufactured home park, when not conflicting with other statutes, ordinances, or regulations.

**Sec. 35-210 Location of Building or Structures Within a Manufactured Home Park**

The location of buildings and structures within a manufactured home park shall be subject to the following regulations:

- A. No building or structures not located upon a manufactured home site shall be closer than 10 feet to any property line.
- B. Swimming pools, related facilities, and all recreational areas shall be located within the MHP, but not less than 100 feet from the boundary of the manufactured home park. The swimming pool shall be adequately secure to prevent unauthorized use.
- C. Public swimming pools are accessory uses and shall comply with 675 IAC 20-2-1.

**Sec. 35-220 Abandonment and Expiration**

In the event a manufactured home park is abandoned for a period of one year, or if upon expiration of three (3) years from, the zoning change so enacted, the manufactured home park has not been substantially completed, as determined by the Plan Commission, the land so rezoned shall be again rezoned by the Plan Commission, after proper zoning application has been filed by the Commission to its former zoning classification. The Commission may, provided good cause has shown upon application and public notice has been published as required by law, grant one extension for the period of one year. Such application for extension shall be filed with the commission six months prior to the expiration of the aforesaid three years.

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**Sec. 40-10 Specific Purposes**

This district is intended to provide specific areas, where professional office functions, and certain public and semi-public uses may be developed with the assurance that retail and other commercial uses with incompatible characteristics will not impede or disrupt the establishment of an attractive, cohesive grouping of permitted uses. Since these professional office and public and semi-public structures are typically much less commercial in appearance, height, bulk, scale and architecturally more harmonious with residential structures, this district can serve as a protective zone between residential areas and in denser districts. New planned community developments can use this district for mixed uses that serve the residents of the planned development.

**Sec. 40-20 Use Classification**

RPO uses shall be in accordance with Table 40-1, Land Use Classification.

Table 40-1 Land-Use Classification	
Uses Permitted by Right	
LBCS - 1100 - Private household	
LBCS - 1122 - Zero lot line, patio & transitional condo	
LBCS - 2410 - Professional services	
LBCS - 2411 - Legal services	
LBCS - 2412 - Accounting, tax, bookkeeping, payroll services	
LBCS - 2413- Architectural, engineering, and related services	
LBCS - 2414 - Graphic, industrial, interior design services	
LBCS - 2415 - Consulting services (management, environmental, etc.,)	
LBCS - 2416 - Research and development services (scientific, etc.)	
Uses Permitted by Special Use	
<i>Special exceptions and conditional uses are located in Division 225</i>	

**Sec. 40-30 RPO Development Regulations**

Dimensional Development Standards shall be in accordance with Table 40-2, Dimensional Development Standards.

Table 40-2 Dimensional Development Standards	
Dimensional	Measurement
<i>Residential Use</i>	
Minimum lot area for single family detached dwelling unit	6,000 square feet
Minimum lot area for single family attached	6,000 square feet
Minimum lot area per unit two family duplex	3,630 square feet per unit
Maximum dwellings per acre for single family dwelling units	7.26
Maximum height	35'
Minimum lot width	50'

<b>Table 40-2 Dimensional Development Standards</b>	
<b>Dimensional</b>	<b>Measurement</b>
Minimum depth of front yard	not less than 20'
Minimum depth of rear yard	10'
Minimum width of each side yard single family detached dwelling unit	10'
Minimum floor area	1,200 square feet
Minimum usable open space	600 square feet per dwelling unit
Maximum lot coverage	35 (%)
Minimum Usable Open Space per dwelling unit	600 square feet
<b><i>Non-Residential Use</i></b>	
Minimum lot size	10,000 square feet
Maximum height	35'
Minimum lot width	100'
Front yard minimum	20'
Rear yard minimum	20'
Maximum lot coverage	35 (%)

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**Sec. 50-10 Specific Purpose**

The purpose of this district is to provide “neighborhood” certain retail goods and services for the convenience of residents living near the business. Uses that provide non-durable goods and limited personal services are considered by this zoning ordinance as “neighborhood commercial uses” appropriate in the B-1 district. Although limited in the area occupied, these districts are important to the economic welfare of the community by placing convenience goods close to the resident.

**Sec. 50-20 Use Limitations**

- A. No single structure shall exceed 2,800 square feet in gross area.
- B. All uses and operations except off street loading and all off street parking shall be conducted within completely enclosed buildings except otherwise specifically permitted in this ordinance.
- C. No outdoor storage shall be permitted, other than refuse containers behind or beside the primary structure and shall be screened from public view. There shall be provisions for access equipment to service such containers. Refuse containers shall meet the requirements of Clarksville ordinance # 2006-G-04.
- D. Minor displays of merchandise shall be placed outdoors provided such displays are:
  - 1. Outdoor displays shall not exceed 200 square feet in total area.
  - 2. Located immediately adjacent to the primary structure, but not within the required minimum front yard.
  - 3. Maintained in an orderly manner, clean, and free of litter, trash and debris.

**Sec. 50-30 Uses Permitted By Right in a B-1 District**

B-1 uses shall be in accordance with Table 50-1, *Land-Use Classification*.

Table 50-1 Land-Use Classification	
Uses Permitted by Right	
LBCS - 2110 - Automobile sale or services establishment - following only are permitted	<ul style="list-style-type: none"> <li>&gt; Automotive washing and polishing</li> <li>&gt; Car washes</li> <li>&gt; Detailing services (i.e., cleaning and polishing) automotive, no outdoor storage of vehicles or repair</li> <li>&gt; Diagnostic centers with repair, automotive no outdoor storage of vehicles or repair and <i>that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop</i></li> <li>&gt; Garages, do-it-yourself automotive repair <i>that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop</i></li> <li>&gt; Oil change and lubrication shops, automotive</li> <li>&gt; Quick-lube shops</li> <li>&gt; Self-service carwash</li> </ul>
LBCS - 2113 - Bicycle, motorcycle, ATV, etc - following only are permitted	<ul style="list-style-type: none"> <li>&gt; Bicycle shops, motorized</li> <li>&gt; Moped dealers</li> <li>&gt; Motor scooters dealer</li> </ul>
LBCS - 2116 - Gasoline service - following only permitted	

<ul style="list-style-type: none"> <li>➤ Convenience food with gasoline stations</li> <li>➤ Gasoline stations with convenience stores</li> </ul>
<p>LBCS - 2120 - Heavy consumer goods sales or service -following only permitted</p> <ul style="list-style-type: none"> <li>➤ Bicycle repair and maintenance shops without retailing new bicycles</li> <li>➤ Garment alteration and/or repair shops without retailing new garments</li> <li>➤ Key duplicating shops</li> <li>➤ Musical instrument repair shops without retailing new musical instruments</li> <li>➤ Tailor shops, alterations only</li> <li>➤ Tuning and repair of musical instruments</li> <li>➤ Watch repair shops with or without retailing new watches</li> </ul>
<p>LBCS - 2125 - Electronics and Appliances - following only permitted</p> <ul style="list-style-type: none"> <li>➤ Cellular telephone stores</li> <li>➤ Telephone stores (including cellular)</li> <li>➤ Television and radio stores</li> <li>➤ TV (television) stores</li> </ul>
<p>LBCS - 2131 - Computer and software</p>
<p>LBCS - 2134 - Sporting goods, toy and hobby, and musical instruments - following only permitted</p> <ul style="list-style-type: none"> <li>➤ Craft supply stores (except needlecraft)</li> </ul>
<p>LBCS - 2133 - Clothing, jewelry, luggage, shoes, etc.</p>
<p>LBCS - 2135 - Books, magazines, music, stationery</p>
<p>LBCS - 2141 - Florist</p>
<p>LBCS - 2144 - Mail order or direct selling establishment - following only permitted</p> <ul style="list-style-type: none"> <li>➤ Temporary use with special event permit <ul style="list-style-type: none"> <li>❖ <i>Christmas trees, cut, direct selling</i></li> <li>❖ <i>Fruit stand</i></li> <li>❖ <i>Produce stands</i></li> </ul> </li> </ul>
<p>LBCS - 2152 - Convenience store</p>
<p>LBCS - 2153 - Specialty food store - following only permitted</p> <ul style="list-style-type: none"> <li>➤ Candy stores, packages, retailing only</li> <li>➤ Coffee and tea (i.e., packaged) stores</li> <li>➤ Confectionery stores, packaged, retailing only</li> <li>➤ Dairy product stores</li> <li>➤ Ice cream (i.e., packaged) stores</li> </ul>
<p>LBCS - 2335 - Consumer goods rental - following only permitted</p> <ul style="list-style-type: none"> <li>➤ Musical instrument rental</li> </ul>
<p>LBCS -2450 - Services to buildings and dwellings</p>
<p>LBCS -2451- Extermination and pest control</p>
<p>LBCS - 2455 - Packing, crating and convention and trade show services</p>
<p>LBCS - 2520 - Cafeteria or limited service restaurant</p>
<p>LBCS - 2530 - Snack or nonalcoholic bar</p>
<p>LBCS - 2600 - Personal services - following only permitted</p> <ul style="list-style-type: none"> <li>➤ Barber shops</li> <li>➤ Beauty and barber shops, combined</li> <li>➤ Beauty parlors</li> <li>➤ Beauty salons</li> <li>➤ Beauty shops</li> <li>➤ Coin operated drycleaners and laundries</li> <li>➤ Facial salons</li> <li>➤ Hair stylist salons or shops, unisex or women's</li> </ul>

- Hair stylist services, men's
- Hair stylist services, unisex or women's
- Hair stylist shops, men's
- Hairdresser services
- Hairdressing salons or shops, unisex or women's
- Laundries coin-operated or similar self-service
- Laundromats
- Manicure and pedicure salons
- Nail salons
- One-hour photofinishing services
- Pedicure and manicure salons
- Pedicurist services
- Photofinishing labs, one-hour
- Photofinishing services, one-hour
- Pickup and drop-off sites for drycleaners and laundries
- Sun tanning salons

LBCS - 6121 - Grade schools

- This category comprises all public, private, and specialty schools between the preschool and university level. The individual classifications are based on traditional age and educational level distinctions.
  - ❖ *6121 Elementary*

**Sec. 50-40 B-1 District Standards**

Dimensional Development Standards shall be in accordance with Table 50-2, Development Standards.

<b>Table 50-2. Development Standards</b>	
<i>Dimension</i>	<i>Measurement</i>
Minimum lot area	10,000 square feet
Minimum lot width	50 feet
Maximum lot coverage	50%
Minimum depth of front yard	15 feet
Minimum depth of rear yard	30 feet
Minimum width of each side yard, a street side yard shall observe the front yard set back	10 feet
Maximum height	25 feet

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**Sec. 55-10 Specific Purpose**

The purpose of this district is to accommodate a variety of retail, service and convenience businesses that are not a nuisance or detrimental to adjacent land uses. This district accommodates general types of business and services and is designed to provide services to serve the Town and additional populations outside the Town. This district typically will feature traffic generators such as motels, super markets, “big box”, retail, discount retailers, department stores and the like. This district requires access from major thoroughfares and certain permitted uses may have limited outdoor activities.

**Sec. 55-20 Use Classification**

B-2 uses shall be in accordance with Table 55-1, Land-Use Classification.

**Table 55-1 Land-Use Classification**

- Except for product display areas not exceeding 200 square feet, any outdoor storage shall be concealed by an opaque six foot tall fence of solid material

**Uses Permitted by Right**

LBCS - 1330 - Hotel, motel, or tourist court

- These establishments comprise resort hotels that do not have gambling services. They may also offer food services, recreational services, convention hosting services, laundry services, etc. This subcategory includes extended stay hotels.

LBCS - 2110 - Automobile sales or service establishment , excluding medium & heavy duty trucks - except the following Special Exception

- Aircrafts dealers
- Automotive body shops *that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop*
- Automotive engine repair and replacement shops *that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop*
- Automotive paint shops *that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop*
- Automotive radiator repair shops *that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop*
- Automotive rustproofing and undercoating shops *that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop*
- Body shops, automotive *that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop*
- Engine repair and replacement shops, automotive *that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop*
- Transmission repair shops, automotive *that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop*
- Truck repair shops, general *that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop*
- Truck trailer body shops *that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop*
- Used aircraft dealers
- Used utility trailer dealers *that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop*

LBCS - 2111 - Car dealer

LBCS - 2112 - Bus, truck, mobile homes, or large vehicles - except the following and only by Special Exception

- Manufactured (mobile) home dealers
- Mobile home dealers, manufactured
- Motor home dealers
- Recreation vehicle (RV) dealers

<ul style="list-style-type: none"> <li>➤ Recreational vehicle parts and accessories stores</li> <li>➤ RV dealers</li> <li>➤ Travel trailer dealers</li> <li>➤ Used manufactured (mobile) home dealers</li> <li>➤ Used recreational vehicle (RV) dealers</li> </ul>
LBCS - 2113 - Bicycle, motorcycle, ATV, etc
LBCS - 2114 - Boat or marine craft dealer
<p>LBCS - 2115 - Parts, accessories, or tires - except permitted only in I-1</p> <ul style="list-style-type: none"> <li>➤ Used automotive parts stores only in I-1</li> <li>➤ Used automotive tire dealers only in I-1</li> <li>➤ Used tire dealers only in I-1</li> </ul>
<p>LBCS -2116 - Gasoline service</p> <ul style="list-style-type: none"> <li>➤ Gasoline stations without convenience stores</li> </ul>
<p>LBCS - 2120 - Heavy consumer goods, sales or service - except the following and only by Special Exception</p> <ul style="list-style-type: none"> <li>➤ Agricultural machinery and equipment repair and maintenance services</li> <li>➤ Aircraft upholstery repair</li> <li>➤ <b>Only permitted in I-1 District</b> <ul style="list-style-type: none"> <li>❖ <i>Electric motor repair and maintenance services, commercial or industrial</i></li> <li>❖ <i>Heavy machinery and equipment repair and maintenance services</i></li> <li>❖ <i>Hydraulic equipment repair and maintenance services</i></li> <li>❖ <i>Industrial equipment and machinery repair and maintenance services</i></li> <li>❖ <i>Industrial truck (e.g. forklifts) repair and maintenance services</i></li> <li>❖ <i>Material handling equipment repair and maintenance services</i></li> <li>❖ <i>Mechanical power transmission equipment repair and maintenance services</i></li> <li>❖ <i>Mining machinery and equipment repair and maintenance services</i></li> <li>❖ <i>Motor repair and maintenance services, commercial or industrial</i></li> <li>❖ <i>Paper making machinery repair and maintenance services</i></li> <li>❖ <i>Reconditioning shipping barrels and drums</i></li> <li>❖ <i>Refrigeration equipment repair and maintenance services, industrial and commercial-type</i></li> <li>❖ <i>Service machinery and equipment repair and maintenance services</i></li> <li>❖ <i>Textile machinery repair and maintenance services</i></li> <li>❖ <i>Tractor, farm or construction equipment repair and maintenance services</i></li> <li>❖ <i>Truck refrigeration repair and maintenance services</i></li> </ul> </li> <li>➤ <b>Only permitted in I-2 District</b> <ul style="list-style-type: none"> <li>❖ <i>Electrical generating and transmission equipment repair and maintenance services</i></li> <li>❖ <i>Foundry machinery and equipment repair and maintenance services</i></li> </ul> </li> </ul>
LBCS - 2121 - Furniture or home furnishings
LBCS - 2122 - Hardware, home centers, etc
LBCS - 2123 - Lawn and garden supplies
LBCS - 2124 - Department store, warehouse club or superstore
LBCS - 2125 - Electronics and Appliances
LBCS - 2126 - Lumber yard and building materials
LBCS - 2127 - Heating and plumbing equipment
LBCS - 2131 - Computer and software
LBCS - 2133 - Clothing, jewelry, luggage, shoes, etc
LBCS - 2134 - Sporting goods, toy and hobby, and musical instruments
LBCS - 2135 - Books, magazines, music, stationery

LBCS - 2140 - Consumer goods, other

LBCS - 2141 - Florist

LBCS - 2142 - Art dealers, supplies, sales and services

LBCS - 2143 - Tobacco or tobacconist establishment

LBCS - 2144 - Mail order or direct selling establishment - except the following Special Exception

- Canvassers (door-to-door), headquarters for retail sale of merchandise, direct selling
- Cigarette stands, temporary
- Direct selling of merchandise (door-to-door)
- Door-to-door retailing of merchandise, direct selling
- Flea markets, temporary location, direct selling
- Fruit stands, temporary
- House to house direct selling
- In-home sales of merchandise, direct selling
- Produce stands, temporary
- Street vendors (except food)
- Only permitted in I-1 District
  - ❖ *Coal dealers, direct selling*
  - ❖ *Firewood dealers, direct selling*
  - ❖ *Fuel oil (i.e., heating) dealers, direct selling*
  - ❖ *Heating oil dealers, direct selling*
  - ❖ *Liquefied petroleum gas (LPG) dealers, direct selling*
  - ❖ *Locker meat provisioners, direct selling*

LBCS - 2145 - Antique shops, flea markets, etc.

LBCS - 2151 - Grocery store, supermarkets, or bakery

LBCS - 2152 - Convenience stores

LBCS - 2153 - Specialty food stores

LBCS - 2154 - Fruit and vegetable store

LBCS - 2155 - Beer, wine, and liquor store

LBCS - 2160 - Health and personal care

LBCS - 2161 - Pharmacy or drug store

LBCS - 2162 - Cosmetic and beauty supplies

LBCS - 2163 - Optical (consumer goods)

LBCS - 2210 - Bank, credit union, or savings institution

LBCS - 2210 - Credit and finance establishment

LBCS - 2230 - Investment banking, securities, and brokerages Excluding check cashing services

LBCS - 2240 - Insurance-related establishment

LBCS - 2250 - Fund, trust, or other financial establishment

LBCS - 2300- Real estate, and rental and leasing

LBCS - 2310 - Real estate services

LBCS - 2320 - Property management services

LBCS - 2321 - Commercial property - related

LBCS - 2322 - Rental housing - related

LBCS - 2331 - Cars

LBCS - 2332 - Leasing trucks, trailers, RV's, etc. - except the following Special Exception

- Aircraft rental and leasing
- Airplane rental or leasing

- Barge rental or leasing
- Boat rental or leasing, commercial
- Bus rental or leasing
- Tanker rental or leasing
- Towboat rental or leasing

LBCS - 2333 - Recreational goods rental

LBCS - 2334 - Leasing commercial, industrial machinery and equipment - except the following functions which are only permitted in I-1 or I-2

- **Only permitted in I-1 District**
  - ❖ *Agricultural machinery and equipment rental or leasing*
  - ❖ *Bulldozer rental or leasing without operator*
  - ❖ *Farm equipment rental or leasing*
  - ❖ *Farm tractor rental or leasing*
  - ❖ *Forestry machinery and equipment rental or leasing*
  - ❖ *Generator rental or leasing*
  - ❖ *Heavy construction equipment rental without operator*
  - ❖ *Industrial truck rental or leasing*
  - ❖ *Manufacturing machinery and equipment rental or leasing*
  - ❖ *Material handling machinery and equipment rental or leasing*
  - ❖ *Metalworking machinery and equipment rental or leasing*
  - ❖ *Pallet rental or leasing*
  - ❖ *Sawmill machinery rental or leasing*
  - ❖ *Skid rental or leasing*
  - ❖ *Textile machinery rental or leasing*
  - ❖ *Truck, industrial, rental or leasing*
  - ❖ *Welding equipment rental or leasing*
  - ❖ *Woodworking machinery and equipment rental or leasing*
- **Only permitted in I-2 District**
  - ❖ *Construction machinery and equipment rental or leasing without operator*
  - ❖ *Crane rental or leasing without operator*
  - ❖ *Earth moving equipment rental or leasing without operator*
  - ❖ *Logging equipment rental or leasing without operator*
  - ❖ *Mining machinery and equipment rental or leasing*
  - ❖ *Oil field machinery and equipment rental or leasing*
  - ❖ *Oil well drilling machinery and equipment rental or leasing*
  - ❖ *Well drilling machinery and equipment rental or leasing*

LBCS - 2335 - Consumer goods rental

LBCS - 2336 - Intellectual property rental (video, music, software, etc)

LBCS - 2410 - Professional services

LBCS - 2411 - Legal services

LBCS - 2412 - Accounting, tax, bookkeeping, payroll services

LBCS - 2413 - Architectural, engineering, and related services - all supplies and equipment must be contained within the building.

LBCS - 2414 - Graphic, industrial, interior design services - all supplies and equipment must be contained within the building.

LBCS - 2415 - Consulting services (management, environmental, etc.) - all supplies and equipment must be contained within the building.

LBCS - 2416 - Research and development services (scientific, etc)

LBCS - 2417 - Advertising, media, and photography services - all supplies and equipment must be contained within the building.

LBCS - 2418 - Veterinary services - except the following zoning districts <ul style="list-style-type: none"><li>➤ <b>Only permitted in I-1 District</b><ul style="list-style-type: none"><li>❖ <i>Livestock inspecting and testing services, veterinary</i></li><li>❖ <i>Livestock veterinary services</i></li><li>❖ <i>Veterinary services, livestock</i></li></ul></li></ul>
LBCS - 2421 - Office and administrative services
LBCS - 2422 - Facilities support services
LBCS - 2423 - Employment agency
LBCS - 2424 - Business support services
LBCS - 2425 - Collection Agency
LBCS - 2430 - Travel arrangement and reservation services
LBCS - 2440 - Investigation and security services
LBCS - 2450 - Services to buildings and dwellings
LBCS - 2451 - Extermination and pest control
LBCS - 2452 - Janitorial
LBCS - 2453 - Landscaping
LBCS - 2454 - Carpet and upholstery cleaning
LBCS - 2455 - Packing, crating and convention and trade show services
LBCS - 2510 - Full-service restaurant
LBCS - 2520 - Cafeteria or limited service restaurant
LBCS - 2530 - Snack or nonalcoholic bar
LBCS - 2540 - Bar or drinking place
LBCS - 2550 - Mobile food services - Annual temporary permit with health department permit and designated location <ul style="list-style-type: none"><li>➤ Ice cream truck vendors are prohibited on public streets, sidewalks or other public ways, except for traveling from destination to destination. No actual vending shall be within any public rights-of way</li></ul>
LBCS - 2560 - Caterer
LBCS - 2570 - Food service contractor
LBCS - 2580 - Vending machine operator
LBCS - 2600 - Personal services
LBCS - 2710 - Pet or pet supply store
LBCS - 2720 - Animal and pet services <ul style="list-style-type: none"><li>➤ <b>Not within a 1,000' of residential use or zone</b><ul style="list-style-type: none"><li>❖ <i>Animal shelter</i></li><li>❖ <i>Boarding services, pet</i></li><li>❖ <i>Dog pounds</i></li><li>❖ <i>Guard dog training service</i></li><li>❖ <i>Guide dog training services</i></li><li>❖ <i>Kennels, pet boarding</i></li><li>❖ <i>Pet boarding services</i></li></ul></li><li>➤ <i>Sitting services, pet - under four domestic pets</i></li></ul>
LBCS - 3110 - Food and beverages - permitted only <ul style="list-style-type: none"><li>➤ Bakery products, fresh (i.e., bread, cakes, doughnuts, pastries) made in commercial bakeries</li><li>➤ Candy stores, chocolate, candy made on premises not for immediate consumption</li><li>➤ Doughnuts (except frozen) made in commercial bakers (only for immediate sale)</li></ul>
LBCS - 3130 - Textiles - permitted only <ul style="list-style-type: none"><li>➤ Tailored dress and sport coats, men's and boys' cut and sew apparel contractors</li></ul>

- Tailored dress and sport coats, men's and boys', cut and sewn from purchased fabric (except apparel contractors)
- Tuxedos cut and sew apparel contractors
- Tuxedos cut and sewn from purchased fabric (except apparel contractors)

LBCS - 3220 - Paper and printing materials

- Instant printing (i.e., quick printing)
- Print shops, lithographic (offset) (except grey goods, manifold business forms, printing books, quick printing)
- Print shops, quick
- Print shops, screen
- Printing manifold business forms

LBCS - 4120 - Publishing

- Publishing establishments issue copies of works for which they usually possess copyright. Works may be in one or more formats including traditional print form, CD-ROM, or on-line. Publishers may publish works originally created by others for which they have obtained the rights or works that they have created in-house. Software publishing is included here because the creation process is similar to other types of intellectual products. For music publishers, use the motion picture and sound recording category. For the reproduction of prepackaged software, use the appropriate manufacturing classification; for custom design of software to client specifications, use the appropriate business, professional, scientific, and technical services classification.

LBCS - 4135 - School and employee bus transportation

LBCS - 4138 - Towing and other road and ground services without outdoor storage

LBCS - 4141 - General freight trucking, local without outdoor storage

LBCS - 4142 - General freight trucking, long-distance without outdoor storage

LBCS - 4160 - Courier and messenger services

LBCS - 4211 - Newspapers, books, periodicals, etc.

- This classification comprises establishments that publish newspapers, magazines and other periodicals, books, databases, calendars, greeting cards, maps, and similar works. These works are usually protected by copyright, and may be published in one or more formats, such as print or electronic form, including online. Publishers may print, reproduce, distribute, or offer direct access to the works, or may arrange others to carry out such functions. For printing establishments which do not publish, use the paper and printing

LBCS - 4230 - Telecommunications and broadcasting

LBCS - 4234 - Telephone and other wired telecommunications

LBCS - 4240 - Information services and data processing industries

LBCS - 4241 - Online information services

- This comprises Internet access providers, Internet service providers, and similar establishments providing direct access through telecommunications networks to computer-held information compiled or published by others.

LBCS - 5140 - Promoter of performing arts, sports, and similar events

- Establishments in this subcategory organize, promote, and manage live performing arts productions, sports events, and similar events, such as state fairs, county fairs, agricultural fairs, concerts, and festivals. They may operate their own facilities, such as arenas, stadiums, and theaters, or rent from others; or they may operate these facilities for rent to other promoters. Theatrical (except motion picture) booking agencies are included in this subcategory.

LBCS - 5150 - Agent for management services

- Agents and managers representing and managing creative and performing artists, sports figures, entertainers, and other public figures. The representation and management includes activities, such as representing clients in contract negotiations; managing or organizing client's financial affairs; and promoting the careers of their clients.

LBCS - 5310 - Amusement or theme park establishment

- Amusement or theme parks operate a variety of attractions, such as mechanical rides, water rides, games, shows, theme exhibits, refreshment stands, and picnic grounds. These establishments may lease space to others on a concession basis

LBCS - 5320 - Games arcade establishment

	<ul style="list-style-type: none"> <li>➤ These operate arcades and parlors (except gambling, billiard, or pool) for amusement.</li> </ul>
LBCS - 5340 - Miniature golf establishment	<ul style="list-style-type: none"> <li>➤ These establishments operate miniature golf courses, and typically provide the necessary equipment to patrons. These establishments are distinct from golf courses and country clubs.</li> </ul>
LBCS - 5360 - Marina or yachting club facility operators	<ul style="list-style-type: none"> <li>➤ Marinas operate docking and storage facilities for pleasure craft owners. They may retail fuel and marine supplies, and may repair, maintain, or rent pleasure boats in addition to operating facilities.</li> </ul>
LBCS - 5350 - Skiing	<ul style="list-style-type: none"> <li>➤ This subcategory comprises establishments that operate downhill, cross-country, or related skiing areas, and establishments that operating equipment, such as ski lifts and tows. Establishments often provide food and beverage services, equipment rental services, and ski instruction services. Four season resorts without accommodations are included in this subcategory. For establishments operating ski resorts with accommodations use the appropriate residence and accommodation category.</li> </ul>
LBCS - 5380 - Bowling, billiards, pool, etc.	<ul style="list-style-type: none"> <li>➤ This subcategory comprises establishments operating bowling billiards, or pool centers. These establishments often provide food and beverage services.</li> </ul>
LBCS - 5390 - Skating rinks, roller skates, etc.	
LBCS - 6120 - Grade schools	<ul style="list-style-type: none"> <li>➤ This category comprises all public, private, and specialty schools between the preschool and university level. The individual classifications are based on traditional age and educational level distinctions. Includes the following: <ul style="list-style-type: none"> <li>➤ 6121 <b>Elementary</b></li> <li>➤ 6122 <b>Middle</b></li> <li>➤ 6123 <b>Senior</b></li> <li>➤ 6124 <b>Continuance</b></li> <li>➤ 6125 <b>Alternate education services</b> <ul style="list-style-type: none"> <li>❖ <i>Use this classification for all schools below the university level offering specialized services, such as for the physically or mentally disabled.</i></li> </ul> </li> </ul> </li> </ul>
LBCS - 6130 - Colleges and Universities	<ul style="list-style-type: none"> <li>➤ These comprise junior colleges, colleges, universities, and professional schools. These establishments furnish academic or technical courses and grant degrees, certificates, or diplomas at the associate, baccalaureate, or graduate levels. The requirement for admission is at least a high school diploma or equivalent general academic training.</li> </ul>
LBCS - 6140 - Technical, trade, and other specialty schools	
LBCS - 6141 - Beauty schools	<ul style="list-style-type: none"> <li>➤ These establishments primarily train in barbering, hair styling, or the cosmetic arts, such as makeup or skin care. These schools provide job-specific certification.</li> </ul>
LBCS - 6142 - Business management	<ul style="list-style-type: none"> <li>➤ These establishments offer courses in office procedures, secretarial skills, stenographic, and basic office skills. In addition, these establishments may offer such classes as office machine operation, reception, and communications, designed for individuals pursuing a clerical or secretarial career.</li> </ul>
LBCS - 6143 - Computer training	<ul style="list-style-type: none"> <li>➤ These establishments conduct computer training (except computer repair), in computer programming, software packages, computerized business systems, computer electronics technology, computer operations, and local area network management. Instruction may be provided at the establishment's facilities or at an off-site location.</li> </ul>
LBCS - 6144 - Driving education	
LBCS - 6145 - Fine and performing arts education	<ul style="list-style-type: none"> <li>➤ These establishments offer instruction in the arts, including dance, art, drama, and music.</li> </ul>
LBCS - 6147 - Sports and recreation education	<ul style="list-style-type: none"> <li>➤ Sports and recreational education establishments, such as camps and schools, offer instruction in athletic activities to groups of individuals. Overnight and day sports camps are included in this class. However, if the camp primarily involves camping or outdoor type activities other than instruction, use the camping category under recreation and amusement.</li> </ul>

LBCS - 6200 - Public administration

LBCS - 6220 - Judicial functions

- This category comprises civilian courts of law and correctional institutions.

LBCS - 6222 - Correctional institutions

- These government establishments manage and operate correctional institutions. Their facilities are generally designed for the confinement, correction, and rehabilitation of offenders sentenced by a court.

LBCS - 6430 - Emergency response

- Use this classification for establishments providing ground or air transportation for medical relief purposes. These services are often provided during a medical emergency but are not restricted to emergencies. The vehicles are equipped with lifesaving equipment operated by medically trained personnel.

LBCS - 6500 - Health and human services

LBCS - 6510 - Ambulatory or outpatient care

LBCS - 6560 - Social assistance, welfare, and charitable services

LBCS - 6561 - Child and youth services

- These establishments offer services such as adoption, foster care, drug prevention services, and life-skills training.

LBCS - 6562 - Child day care

- Child day care establishments primarily care for infants and preschool children and often offer pre-kindergarten education programs. Some provide care services for older children.

LBCS - 6563 - Community food services

- These establishments collect, prepare, and deliver food for the needy. They distribute clothing and bedding, run collections for food and donations, and provide meals at fixed or mobile locations. Examples are food banks, meal delivery programs, and soup kitchens.

LBCS - 6564 - Emergency and relief services

- These establishments provide food, shelter, clothing, medical relief, resettlement, and counseling to disaster victims.

LBCS - 6565 - Other family services

- Hotline centers, suicide crisis centers, self-help organizations, etc., are some examples of establishments in this class.

LBCS - 6566 - Services for elderly and disabled

- These establishments serve the elderly and persons with disabilities in a variety of ways (not at their homes). Services typically include group support, companionship, day care, homemaker services, etc. This class does not include housing for the elderly.

LBCS - 6567 - Veterans affairs

- These establishments provide health and human services for veterans. Many such facilities also maintain liaison and coordination functions.

LBCS - 6568 - Vocational rehabilitation

- Establishments in this class provide job counseling, job training, and other vocational services. Their primary clients are unemployed, underemployed, disabled, homeless, etc.

LBCS - 6710 - Funeral homes and services

- This category comprises establishments preparing the dead for burial or interment and conducting funerals (i.e., providing facilities for wakes, arranging transportation for the dead, selling caskets and related merchandise). Funeral homes combined with crematories are also included.

LBCS - 6720 - Cremation services and cemeteries

- These establishments operate sites or structures reserved for the interment of human or animal remains, or for cremating the dead.

LBCS - 6810 - Labor and political organizations

- These establishments promote the interests of organized labor and union employees, national, state, or local political parties or candidates. Included are labor unions, political groups, and political fund raising groups.

LBCS - 6820 - Business associations and professional membership organization

LBCS - 6830 - Civic, social, and fraternal organizations

- This category comprises establishments that promote the interests of their members, or, that promote a particular cause (except labor, political, or professional organizations). These establishments may provide grant making foundations or charitable trusts, raise funds for social welfare activities, such as health, educational, scientific, and cultural activities. They may solicit contributions and offer memberships. Establishments in this category may operate bars and restaurants for their members.

LBCS - 7110 - Residential construction

- Establishments in this subcategory construct single and multi-family residential housing. Housing may be constructed for sale or rental. Establishments include custom housing builders and on-site mobile home addition, alteration, and assembly establishments.

LBCS - 7120 - Land development and subdivision

- Establishments in this subcategory subdivide real property into lots and develop building lots for sale.

LBCS - 7130 - Industrial, commercial and institutional building construction

LBCS - 7210 - Building equipment and machinery installation contractors

LBCS - 7310 - Carpentry, floor, and tile contractor

- These establishments provide framing, carpentry, finishing work, floor laying, and miscellaneous floor installation and tiling services. Activities include installation of doors, windows, tile, interior marble, terrazzo, mosaic, carpeting, linoleum, wood flooring, and resilient flooring; and other services, such as paneling, steel framing, ship joinery, and on-site terrazzo preparation.

LBCS - 7300 - Special trade contractor

LBCS - 7330 - Electrical contractor

- These establishments perform on-site electrical work, equipment service, and installation; they may sell electrical equipment along with installation.

LBCS - 7340 - Glass and glazing contractor

- These establishments install (i.e., by glazing) and tint glass. However, automotive glass establishments are classified in retail sales and services under "automotive sales and service establishments".

LBCS - 7350 - Masonry and drywall contractors

- These establishments provide masonry, stone setting, drywall, plaster, and other stone and building insulation work. Activities include: block and stone foundation construction; brick and glass block laying; exterior marble, granite and slate work; tuck pointing; acoustical paneling construction; plain and ornamental plaster application; and the installation of lathing to receive plaster.

LBCS - 7360 - Painting and wall covering

- These establishments provide exterior painting and interior wall covering. Activities range from bridge, ship, and traffic lane painting to paint and wall covering removal.

LBCS - 7370 - Plumbing, heating, and air-conditioning

- Establishments in this subcategory install or service plumbing, heating, and air-conditioning equipment. These establishments may sell equipment along with installation. Activities range from on-site duct fabrication and installation to installation of refrigeration equipment, installation of sprinkler systems, and installation of environmental controls.

LBCS - 7380 - Roofing, siding, and sheet metal contractors

- These establishments provide installation and services for roofing, siding, sheet metal, and roof drainage equipment, such as downspouts and gutters. Activities include treating roofs (i.e., by spraying, painting, or coating), copper smithing, tin smithing, installing skylights, installing metal ceilings, flashing, duct work, and capping.

**Approved as a Special Exception by the Board of Zoning Appeals**

*See Division 225*

**Sec. 55-30 B-2 District Standards**

Dimensional Development Standards shall be in accordance with Table 55-2.

<i>Dimension</i>	<i>Measurement</i>
Minimum lot area	10,500
Minimum lot width	50 feet
Maximum lot coverage	50%
Minimum depth of front yard	25 feet
Minimum depth of rear yard	15 feet
Minimum width of each side yard	10 feet
Maximum height	50 feet

**Sec. 55-40 Access Management**

See Division 155

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**Sec. 60-10 Purpose**

Adult business uses are considered objectionable land uses. No part of this section is intended to limit or suppress or disrespect the establishment of religion, or prohibit the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble.

The purpose of the AB district is to confine these uses in a manner that will have the least disruption to the Town and its citizens. The Town has a substantial interest in protecting and preserving the quality of life of the citizens of Clarksville against any adverse secondary effects of objectionable uses including adult business.

The purpose of this district is to confine and regulate adult business because:

Adult business, are a category of business uses, that may be considered objectionable, a nuisance, or may be associated with adverse secondary effects including, but not limited to, urban blight, litter, personal and property crimes, prostitution, potential spread of disease, public indecency, illicit drug use and drug trafficking, negative impacts on surrounding properties, and sexual assault and exploitation.

- A. Adult Businesses may lend themselves to ancillary unlawful and unhealthy activities.
- B. It has been the experience of other communities, as well as this one, that certain adult entertainment activities which are located near areas zoned for residential use, near schools and public parks, near malls and similar open spaces that cater to use by family groups and children adversely affect the viability of such nearby properties for their described purposes.
- C. The Town of Clarksville has spent millions of dollars on community development, park development, and neighborhood enhancement projects within the recent past to eliminate blight and to prevent deterioration of the local neighborhoods.
- D. Based upon evidence concerning the adverse secondary effects of adult uses on the community in reports made available to the Plan Commission and the Council, and on findings incorporated in the cases of *City of Littleton v. Z.J. Gifts D-4, L.L.C.*, 124 S.Ct. 2219 (June 7, 2004); *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425 (2002); *Pap’s A.M. v. City of Erie*, 529 U.S. 277 (2000); *City of Renton v. Playtime Theaters, Inc.*, 475 U.S. 41 (1986), *Young v. American Mini Theaters*, 426 U.S. 50 (1976), *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991); *California v. LaRue*, 409 U.S. 109 (1972); and *Schultz v. City of Cumberland*, 26 F.Supp.2d 1128 (W.D. Wisc 1998), *aff’d in part, rev’d in part*, 228 F.3d 831 (7th Cir. 2000); *Blue Canary Corp. v. City of Milwaukee*, 270 F.3d 1156 (7th Cir. 2001); *Matney v. County of Kenosha*, 86 F.3d 692 (7th Cir. 1996); *Berg v. Health & Hospital Corp.*, 865 F.2d 797 (1989); *DiMa Corp v. Town of Hallie*, 185 F.3d 823 (1999); *Graff v. City of Chicago*, 9 f.3d 1309 (1993); *North Avenue Novelties, Inc. v. City of Chicago*, 88 F.3d 411 (1996); *Chulchian v. City of Indianapolis*, 633 F.2d 27 (7th Cir, 1980); *Bigg Wolf Discount Video v. Montgomery County*, 256 F. Supp. 2d 385 (D. Md. 2003); *County of Cook v. Renaissance Arcade and Bookstore*, 122 Ill. 2d 123 (1988) (including casied cited therein); *World Wide Video of Washington, Inc. v. City of Spokane*, 368 F.3d 1186 (9th Cir. 2004); *Ben’s Bar, Inc. v. Village of Somerset*, 316 F.3d 702 (7th Cir. 2003); *People ex rel Deters v. Effingham*

Retail 27, Inc. No. 04-CH-26 (4th Judicial Circuit, Effingham County, Ill., June 13, 2005); Annex Boos, Inc. v. City of Indianapolis, No. 1:03-CV-918, Summary Judgment Order, August 27, 2004 and Order Denying Motion to Alter or Amend, Mar. 31, 2005 (S.D. Ind.); Andy's Lounge et al. v. City of Gary, No. 2:01-CV-327, Order Granting Summary Judgment, Mar. 31, 2005 (N.D. Ind.); LLEH, Inc. v. Wichita County, 289F3d 358 (5th Cir. 2002); World Wide Video of Washington, Inc. v. City of Spokane, 368 F.3d 1186 (9th Cir. 2004); Ben's Bar, Inc. v. Village of Somerset, 316 F.3d 702 (7th Cir. 2003); Abilene Retail #30, Inc. v. Board of Commissioners, 2005 U.S. Dist. LEXIS 30491 (D. Kan., Dec. 1, 2005); and based upon reports concerning secondary effects occurring in and around sexually oriented businesses, including, but not limited to, Austin, Texas – 1986; Indianapolis, Indiana – 1984; Garden Grove, California – 1991; Houston, Texas – 1983, 1997; Phoenix, Arizona – 1979, 1995-98; Chattanooga, Tennessee – 1999-2003; Minneapolis, Minnesota – 1980; Los Angeles, California – 1977; Whittier, California – 1978; Spokane, Washington – 2001; St. Cloud, Minnesota – 1994; Littleton, Colorado – 2004; Oklahoma City, Oklahoma – 1986; Dallas Texas – 1997; Greensboro, North Carolina – 2003; Amarillo, Texas – 1977; New York, New York Times Square – 1994; and the Report of the Attorney General's Working Group On The Regulation Of Sexually Oriented Businesses, (June 6, 1989, State of Minnesota),

- E. Sexual acts, including masturbation, oral and anal sex, sometimes occur at unregulated adult entertainment businesses, especially those which provide private or semi-private booths, rooms, or cubicles for viewing films, videos, or live sexually explicit shows, which acts constitute a public nuisance and pose a risk to public health through the spread of sexually transmitted diseases.

This district is intended to regulate permitted adult businesses and provide standards to separate these objectionable uses from certain other uses. Nothing in this section shall be interpreted as permitting adult businesses in areas other than in an AB district.

This district is intended to provide a reasonable licensing procedure to place the burden of that reasonable regulation on the owners and operators of the Adult Business. Further, such a licensing procedure will place an incentive on the operators to see that the Adult Business is operated in a manner consistent with the health, safety, and welfare of its patrons and employees, as well as the citizens of the Town. It is appropriate to require reasonable assurances that the licensee is the actual operator of the Adult Business, fully in possession and control of the premises and activities occurring therein.

It is not the intent of this district to suppress any speech activities protected by the U.S. Constitution or the Indiana Constitution, but to enact a district to further the content-neutral government interest of the Town, to-wit the controlling of secondary effects of Adult Businesses.

Nothing in this Ordinance is intended to authorize, legalize or permit the establishment, operation or maintenance of any business, building, or use which violates any Town Ordinance or Statute of the State of Indiana regarding public nuisances, sexual conduct, lewdness, or obscene or harmful matter, or the exhibition or public display thereof.

No building, land, or premises shall be hereafter erected or altered unless otherwise provided for in this division. Gross public floor area of any building is the total area of the building accessible or visible to the public, including showrooms, motion picture theaters, motion picture arcades, service areas, behind-counter areas, storage areas visible from such other areas, restrooms (whether or not labeled "public"), areas used for cabaret or similar shows (including stage areas), plus aisles, hallways, and entryways serving such areas.

**Sec. 60-20 Permit Uses**

- A. Adult bookstore.
- B. Adult cabaret.
- C. Adult media shop- An establishment that rents and/or sells media, meeting any of the following three tests.
- D. 25 percent or more of the gross public floor area is devoted to adult media.
- E. 25 percent or more of the stock-in-trade consists of adult media.
- F. It advertises or holds itself out in any forum as "XXX," "adult," "sex," or otherwise as an Adult Business.
- G. Adult motion picture theater.

- H. Adult video store.
- I. Sexually oriented toys, novelties, and device shop.
- J. Adult arcade.
- K. Adult entertainment establishment.
- L. Adult novelty store.
- M. Adult theater.
- N. Adult entertainment establishment.
- O. Adult mini motion picture theater.
- P. Escort services, social.

**Sec. 60-30 Prohibited Uses**

- A. Public park.
- B. Schools.
- C. Library.
- D. Child care facility for K-8th grade.
- E. Public playground.
- F. Recreational areas.
- G. Hotel, motel, or extended stay hotel.
- H. Bars, taverns or any facility serving alcoholic beverages or selling.
- I. Uses permitted by right in R-1, R-2, R-3, MHP, MD, B-1, RPO, OPS, or MHP zone district.

**Sec. 60-40 Performance Standards**

The following standards shall apply to this district.

- A. Adult business shall not be located within five hundred (500) feet of any R-1, R-2, R-3, RPO, MD, MHP, VPCZ, EBCZ, CLMU, B-1 zone district, unless separated by a navigable stream, interstate highway, principal or minor arterial. Neither shall such uses be located within 500 feet of an AB district unless separated by a navigable stream, interstate highway, and principal or minor arterial.
- B. No adult business shall be allowed to locate or expand within one thousand (1,000) feet of any school, library, historic district listed on the state or National Registry of Historic Places church, child care facility, park, playground, recreational areas or public park within the Town unless separated by a navigable stream, interstate highway, freeway, principal or minor arterial. Neither shall such uses be located in Town within 1,000 feet of an AB district unless separated by a navigable stream, interstate highway, and principal or minor arterial.
- C. In all cases, distances shall be measured in a straight line, without regard to intervening structures, from the closest parcel line of each lot.
- D. No adult entertainment establishment may have any dynamic signage including, but not limited to blinking, rotating, scrolling, racing, neon, or flashing, lights visible from outside the establishment.
- E. No one under the age of eighteen (18) shall be permitted on the premises.
- F. No person shall knowingly or intentionally appear in a state of nudity or engage in specified sexual acts.
- G. No person shall knowingly or intentionally appear in a semi-nude condition, unless the person is an employee who, while semi-nude, is at least six (6) feet from any patron or customer and on a stage at least two (2) feet from the floor.
- H. No employee, while semi-nude, shall receive directly any pay or gratuity from a patron or customer.

- I. No employee, while semi-nude, shall knowingly or intentionally touch a patron or customer, or the clothing of the patron or customer.

**Sec. 60-50 Building Standards**

An adult business use shall not be permitted within a building containing other retail, consumer, personal service, or residential uses, or within a shopping center, shopping plaza, or mall.

The appearance of buildings for adult uses shall be consistent with the appearance of buildings in architectural design, colors, and materials, with its surroundings, and not employ unusual color or building design. The following standards apply.

**A. Interior Layout, Design and Regulations:**

1. One licensed employee is on duty and situated in each manager's station at all times that any patron is present inside the premises.
2. The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises which any patron is permitted access for any purpose, excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises has two or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one of the manager's stations. The view required in this division must be by direct line of sight from the manager's station.
3. The view area specified in this division remains unobstructed by any doors, curtains, partitions, walls, merchandise, display racks, or other materials and, at all times, assure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted.
4. No viewing room may be occupied by more than one person at any time.
5. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access to an illumination of not less than five foot-candles as measured at the floor level.
6. It shall be the duty of the licensee to ensure that the illumination described above is maintained at all times that any patron is present in the premises.
7. No openings of any kind shall exist between viewing rooms or booths.
8. No person shall make or attempt to make an opening of any kind between booths or rooms.
9. During each business day, the management shall regularly inspect the walls between the viewing booths to determine if any openings or holes exist.
10. All floor coverings in viewing booths to be nonporous, easily cleanable surfaces, with no rugs or carpeting.
11. All wall surfaces and ceiling surfaces in viewing booths to be constructed of, or permanently covered by, nonporous, easily cleanable material. No wood, plywood, composition board, or other porous material shall be used within 48 inches of the floor.

**B. Facades and Exterior Walls:**

1. Facades or exterior walls exceeding 40 feet in length, as measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3 percent of the length of the façade or wall.
2. Building façades shall include at least three of the following:
  - a. Color change.
  - b. Texture change.
  - c. Material change.
3. Architectural or structural change that may include among other architectural or structural elements projecting ribs or offsets.

4. Other similar change in the façade meeting the intent and purpose of this division and approved by the Plan Commission staff.
5. Roofs shall have parapets that conceal rooftop equipment including HVAC units from public view. Parapets shall not exceed one-third of a height of the supporting wall.

**C. Windows**

No pictures, publications, videotapes, posters, movies, covers or other advertising items that fall within the definition of an adult bookstore, adult cabaret, adult motion picture theater, adult paraphernalia store or adult video store shall be displayed in the windows of, or on the building of, any adult business establishment. Any advertisement or sign on a window shall be included in the percentage of façade coverage for signage.

**D. Materials and Colors**

Materials shall be high-quality; each façade shall be no less than 80% brick, or stone, or tinted/textured concrete masonry units. Colors shall be muted and not florescent, reflective or unusual.

**E. Entryways**

Entryways shall have clearly defined, highly visible customer entrances identified through the use of any of the following:

1. Canopies or porticos.
2. Overhangs.
3. Projections.
4. Raised cornice parapets over the door.
5. Peaked roof forms.
6. Arches.
7. Planters that are incorporated into the design of the structure.
8. Windows without adult oriented graphics.
9. Commercial messages on windows are calculated in the percent of façade covered by signage.
10. Architectural details that are integrated into the building structure and design.

**F. Site Design and Relationship**

1. All sides of the primary building that directly faces and abuts public streets shall include at least one customer entrance.

2. No ingress or egress shall be permitted from or through an R-1, R-2, R-3, RPO, MED, OTC, OPS, MHP, VPCZ, CLMU, EBCZ, zone district.

Zones	Time of Day	
	Daytime	Nighttime
Business	78	70

3. Lighting shall not cause a nuisance due to light trespass, spill or glare, reflected glare, or cause visual discomfort. The Illuminating Engineering Society of North America [IESNA] are minimum and not a general recipe or “one size fits all” solution to lighting in the Adult Business Zone. Electrical service to any structure shall be underground.
4. No structure shall be within 50 feet of a public way or 50 feet from all other property lines.
5. Noise levels shall be as follows: "daytime" for non-stationary sources means six (6) a.m. to eleven (11) p.m. and "night time" for non-stationary sources shall mean eleven (11) p.m. to six (6) a.m.; "daytime" for fixed sources shall mean seven (7) a.m. to nine (9) p.m. and "night time" for fixed sources shall mean nine (9) p.m. to seven (7) a.m. No public address systems shall be permitted. The noise levels shall be developed in accordance with Table 60-1.

**G. Signs**

No signs, graphics, pictures, publications, videotapes, movies, covers, merchandise or other implements, items or advertising, depicting, describing or relating to sexual conduct or sexual excitement shall be displayed in the windows of, or on the building of any building or be visible to the public from other areas within the Town that are outside the Adult Business Zone District. Signage shall be in conformance with the following:

1. Signs shall not exceed 35' in height.
2. Exterior signs shall not cover more than 7% of each facade on which it is located.
3. No sign shall contain reflective, glittering, pulsating, flickering or fluorescent elements.
4. No sign shall be dynamic, including move in any manner, animated, fading, flashing, blinking, racing, rotating, scrolling, chasing, or any motion.

**H. Prohibited Signs:**

1. Billboards.
2. Roof sign, including, but not limited to signs attached to the roof or painter on the roof.
3. Human signs.
4. Balloon signs.
5. Banners.
6. Wind signs whether by mechanical means or natural wind.
7. Off premise signs.

**I. Landscaping**

Landscaping shall be in conformance with Division 180 unless otherwise approved in the development plan review, except that a 25 foot wide vegetated buffer at least eight feet in height at the time of planting, and being adequately dense to obscure clear vision from adjoining land uses located within the Town of Clarksville.

**J. Development Plan Review**

A development plan conforming to Division 170 is required for each development, expansion, or exterior renovation of an adult business. Additionally, the following are required:

1. The development plan shall include a site plan shall show, when appropriate the distances between the proposed adult business establishment and any residential zoning district, public or private K-12 school, religious institution, house of worship, public park or recreation area, child day care, nursing home and hospital, municipal building, and any other adult entertainment establishment(s).
2. Names and addresses of the legal owner(s) of the Adult Business and owners of the real estate on which it is located.
3. Proposed security precautions.
4. Conditions or commitments may be required that establishes limitations and safeguards as are deemed necessary to protect the immediate area and the Town, provided, that no such conditions in fact prohibit the use of the property for the use intended.

**Sec. 60-60 Licensing**

- A. Upon the filing of a completed application for an Adult Business license or an Adult Business employee license, the Enforcement Officer shall issue a temporary license to the applicant, which temporary license shall expire upon the final decision of the Enforcement Officer to deny or grant the license. Within 20 days after the receipt of a completed application, the Enforcement Officer shall either issue a license, or issue a written notice of intent to deny a license, to the applicant.

- B. The application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of one or more manager's stations and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A manager's station may not exceed 32 square feet of floor area. The diagram shall also designate the place at which the permit, if granted, will be conspicuously posted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to north or to some designated street or object and should be drawn to a designated scale or internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six inches. The town may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certified that the configuration of the premises has not been altered since it was prepared.
- C. The Enforcement Officer shall approve the issuance of a license unless one or more of the following is found to be true:
1. An applicant is less than 18 years of age.
  2. An applicant is delinquent in the payment to the town of taxes, fees, fines, or penalties assessed against or imposed upon the applicant in relation to an Adult Business.
  3. An applicant has failed to provide information as required in this section for issuance of the license.
  4. An applicant has been convicted of a specified criminal activity. The fact that a conviction is being appealed shall have no effect under this division. For the purpose of this division, "conviction":
    - a. Means a conviction or a guilty plea; and
    - b. Includes a conviction of any business entity for which the applicant had, at the time of the offense leading to the conviction for a specified criminal activity, a management responsibility or a controlling interest.
  5. The license application fee required by this chapter has not been paid.
  6. An applicant has falsely answered a question or request for information on the application form.
  7. The proposed n is located in a zoning district other than a district in which Adult Businesses are allowed to operate under the Town's Zoning Ordinance, or is not in compliance with the location restrictions established for Adult Businesses in the appropriate zoning district(s).
  8. The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the number of the license issued to that applicant, the expiration date, and, if the license is for an Adult Business, the address of the Adult Business. An Adult Business employee license shall contain a photograph of the licensee. The Adult Business license shall be posted in a conspicuous place at or near the entrance to the Adult Business so that it may be easily read at any time. An Adult Business employee shall keep the employee's license on his or her person or on the premises where the licensee is then working or performing, and shall produce such license for inspection upon request by a law enforcement officer or other authorized town official.
  9. The following Fees shall apply for the application of an Adult Business Licenses:
    - a. An applicant for an Adult Business license shall pay an initial license fee in the sum of \$1,000.00 and an annual renewal license fee in the sum of \$500.00. Both fees are non-refundable.
    - b. An applicant for an Adult Business employee license shall pay an initial license fee in the sum of \$500.00 and an annual renewal fee in the sum of \$250.00. Both fees are non-refundable.

**Sec. 60-70 Inspection**

For the purpose of ensuring compliance with this chapter, an applicant, operator, or licensee shall permit Town Agencies in the performance of any function connected with the enforcement of this chapter, normally and regularly conducted by such agencies, to inspect, at any time the business is occupied or open for business, those portions of the premises of an Adult Business which patrons or customers are permitted to occupy.

**Sec. 60-80 Expiration of License**

- A. Each license shall expire in December of the year of issuance and may be renewed only by making application as provided above. An application for renewal shall be made by December 1 of the year of the expiration date, and when made less than 30 days before the expiration date, the expiration of the license will not be affected.
- B. When the town denies renewal of a license, the applicant shall not be issued a license for one year from the date of denial. If, subsequent to the denial, the town finds that the basis for denial of renewal license has been corrected or abated, the applicant shall be granted a license if at least 90 days have elapsed since the date the denial became final.

**Sec. 60-90 Suspension**

The town shall issue a written intent to suspend a license for a period not to exceed 30 days if it determines that a licensee or an employee of a licensee has:

- A. Violated or is not in compliance with any section of this chapter; or
- B. Refused to allow an inspection of the Adult Business premises as authorized by this chapter.

**Sec. 60-100 Revocation**

- A. The Enforcement Officer shall issue a written statement of intent to revoke an Adult Business license if a cause of suspension occurs and the license has been suspended within the preceding 12 months.
- B. The Enforcement Officer shall issue a written statement of intent to revoke an Adult Business license if the Officer determines that:
  1. A licensee gave false or misleading information in the material submitted during the application process.
  2. A licensee has knowingly allowed possession, use, or sale of controlled substances on the premises.
  3. A licensee has knowingly allowed prostitution on the premises.
  4. A licensee had knowingly operated the Adult Business during a period of time when the licensee's license was suspended.
  5. A licensee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or other sex to occur in or on the licensed premises. This division will not apply to an adult motel, unless the licensee knowingly allowed sexual activities to occur either in exchange for money, or in a public place or within public view.
  6. A licensee has knowingly violated any provisions of this chapter.
- C. The fact that a conviction is being appealed shall have no effect on the revocation of the license.
- D. When, after the notice and hearing procedure described in the above stated provisions, the Enforcement Officer revokes a license, the revocation shall continue for one year and the licensee shall not be issued an Adult Business license for one year from the date revocation becomes effective, provided that, if the licensing requirements are met, a provisional license will be granted pursuant to above stated section. If, subsequent to revocation, the Enforcement Office finds that the basis for the revocation found in the aforementioned subsections of this section has been corrected or abated, the applicant shall be granted a license if at least 90 days have elapsed since the date the revocation became effective.

**Sec. 60-110 Hearing, License Denial, Suspension, Revocation, Appeal**

- A. If the Enforcement Officer determines that facts exist for denial, suspension, or revocation of a license under this chapter, the Enforcement Officer shall notify the applicant or licensee (respondent) in writing of the intent to deny, suspend, or revoke the license, including the grounds therefore, by personal delivery, or by certified mail. The notification shall be directed to the most current business address on file with the Enforcement Officer. Within five working days of receipt of such notice, the respondent may provide the Town Council, in writing, a response that shall include a statement of reasons why the license or permit should not be denied, suspended, or revoked. Within three days of the receipt of respondent's written response, the Town Council shall notify respondent in writing of the hearing date on respondent's denial, suspension, or revocation proceeding.

- B. Within ten working days of the receipt of respondent's written response, the Town Council shall conduct a hearing at which respondent shall have the opportunity to be represented by counsel and present evidence and witnesses on his or her behalf. If a response is not received by the Town Council in the time stated or, if after the hearing, the Town Council finds that grounds as specified in this chapter exist for denial, suspension, or revocation shall become final five days after the Town Council sends, by certified mail, written notice that the license has been denied, suspended, or revoked. Such notice shall include a statement advising the applicant or licensee of the right to appeal such decision to a court of competent jurisdiction.
- C. If the Town Council finds that no grounds exist for denial, suspension, or revocation of a license, then within five days after the hearing, the Town Council shall withdraw the intent to deny, suspend, or revoke the license, and shall so notify the respondent in writing by certified mail of such action and shall contemporaneously issue the license.
- D. When a decision to deny, suspend, or revoke a license becomes final, the applicant or licensee (aggrieved party) whose application for a license has been denied, or whose license has been suspended or revoked, shall have the right to appeal such action to a court of competent jurisdiction. Upon the filing of any court action to appeal, challenge, restrain, or otherwise enjoin the town's enforcement of the denial, suspension, or revocation, the town shall immediately issue the aggrieved party a provisional license. The provisional license shall allow the aggrieved party to continue operation of the Adult Business or to continue employment as an Adult Business employee, as the case may be, and will expire upon the court's entry of a judgment on the aggrieved party's action to appeal, challenge, restrain, or otherwise enjoin the town's enforcement.

**Sec. 60-120 Transfer of License**

A licensee shall not transfer his or her license to another, nor shall a licensee operate an Adult Business under the authority of a license at any place other than the address designated in the application.

**Sec. 60-130 Penalties**

A violation of this chapter may have the following penalties:

- A. Penalties as set out in Penalty Section of the Clarksville Zoning Ordinance Division 270.
- B. All civil actions, including but not limited to Civil Complaints, Petition for Injunctive Relief.
- C. Declaration of Rights, or other appropriate remedies as provided by Indiana.

**Sec. 60-140 Severability**

Each section and provision of this chapter is hereby declared to be independent sections and provisions and, not withstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision of said chapter, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or provisions and the application of such sections or provisions to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and provisions would have been passed independently of such section or provision so known to be invalid. Additionally, should any license procedure in this chapter be deemed invalid, the substantive regulations and restrictions contained herein shall not be affected thereby.

**Sec. 60-150 Other standards**

- A. Parking - All parking areas shall be limited to the side and rear yards and regulated by Division 195.
- B. Lighting shall meet the requirements of Division 190 in addition, lighting shall not flash, fade, scroll, spin, rotate, indicate any movement or be dynamic in any manner.
- C. Lot Area coverage shall not exceed 35%.
- D. Height shall be limited to 35 feet.
- E. Front setback shall be not less than 30 feet.
- F. Side yard setbacks shall be no less than 20 feet on each side.

- G. Rear yard setback shall be no less than 20 feet.

CONTENT

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**Sec. 65-10 Specific Purpose**

This district is designed to permit and facilitate the development, expansion, and modernization of medical and hospital complexes or campus, in which a diversity of uses, functions, and facilities is necessary to perform the hospital's various services to the public; and further to permit appropriate land use modifications as necessary to facilitate the highest level of such service.

The Medical District is designed to permit and facilitate the logical association of a diversity of land uses in proximity to medical office buildings and hospital complex. Additionally, the purpose is to provide adequate land area for such medical-related uses and to assure a quality and character of site development that will create the environment of safety, quietness, attractiveness and convenience compatible with medical uses.

**Sec. 65-20 Use Classification**

MD uses shall be in accordance with Table 65-1, Land Use Classification

**Table 65-1 Land-Use Classification**

Uses Permitted
LBCS - 1122 - Zero lot line single family attached - Traditional Condo
LBCS - 1330 - Hotel, motel, or tourist court <ul style="list-style-type: none"> <li>➢ These establishments comprise resort hotels that do not have gambling services. They may also offer food services, recreational services, convention hosting services, laundry services, etc. This subcategory includes extended stay hotels.</li> </ul>
LBCS - 2116 - Gasoline services - following only are permitted <ul style="list-style-type: none"> <li>➢ Convenience food with gasoline stations</li> </ul>
LBCS - 2117 - Heavy consumer goods sales or services - following only are permitted <ul style="list-style-type: none"> <li>➢ Surgical instrument repair and maintenance services</li> </ul>
LBCS - 2160 - Health and personal care - following only are permitted <ul style="list-style-type: none"> <li>➢ Convalescent supply stores</li> <li>➢ Food (i.e., health) supplement stores</li> <li>➢ Hearing aid stores</li> <li>➢ Nutrition (i.e., supplement) stores</li> <li>➢ Prosthetic stores</li> <li>➢ Sick room supply stores</li> <li>➢ Vitamin stores following only are permitted</li> </ul>
LBCS - 2161 - Pharmacy or drug store - following only are permitted <ul style="list-style-type: none"> <li>➢ Apothecaries</li> <li>➢ Drug stores</li> <li>➢ Health and beauty aids stores</li> <li>➢ Pharmacies</li> </ul>
LBCS - 2163 - Optical - following only are permitted <ul style="list-style-type: none"> <li>➢ Lens grinding, ophthalmic, in retail stores</li> <li>➢ Optical goods stores (except offices of optometrists)</li> </ul>
LBCS - 2210 - Bank, credit union, or saving institution, following only are <b>not</b> permitted <ul style="list-style-type: none"> <li>➢ Branches of foreign banks</li> <li>➢ Branches, Federal Reserve Bank</li> </ul>

<b>Table 65-1 Land-Use Classification</b>	
<b>Uses Permitted</b>	
LBCS - 2321- Commercial property-related - following only are permitted	<ul style="list-style-type: none"> <li>➤ Medical building rental or leasing</li> <li>➤ Meeting hall and room rental or leasing</li> </ul>
LBCS - 2335 - Consumer goods rental - following only are permitted	<ul style="list-style-type: none"> <li>➤ Crutches, invalid, rental</li> <li>➤ Furniture, home health, rental</li> <li>➤ Home and garden equipment rental center</li> <li>➤ Home health furniture and equipment rental</li> <li>➤ Home bed rental and leasing (i.e., home use)</li> <li>➤ Hospital equipment rental (i.e., home use)</li> <li>➤ Hospital furniture and equipment rental (i.e., home use)</li> <li>➤ Invalid equipment rental (i.e. home use)</li> <li>➤ Oxygen equipment rental (i.e., home use)</li> <li>➤ Walker, invalid, rental</li> <li>➤ Wheel chair rental</li> </ul>
LBCS - 2416 - Research and development services (scientific, etc.) - following are permitted only	<ul style="list-style-type: none"> <li>➤ Health research and development laboratories or services</li> <li>➤ Learning disabilities research and development services</li> </ul>
LBCS - 2421 - Office and administrative services - following only are permitted	<ul style="list-style-type: none"> <li>➤ Managing offices of dentists</li> <li>➤ Managing offices of physicians and surgeons</li> <li>➤ Managing offices of professionals (e.g., dentists, physicians, surgeons)</li> </ul>
LBCS - 2424 - Business support services - following only are permitted	<ul style="list-style-type: none"> <li>➤ Copy shops (except combined with printing services)</li> <li>➤ Dictation services</li> <li>➤ Document copying services (except combined with printing services)</li> <li>➤ Document duplicating services (except combined with printing services)</li> <li>➤ Document transcription services</li> <li>➤ Editing services</li> <li>➤ Floral wire services (i.e., telemarketing services)</li> <li>➤ Mailbox rental centers, private</li> <li>➤ Mailbox rental services combined with one or more other office support services, private</li> <li>➤ Photocopying services (except combined with printing services)</li> <li>➤ Public stenography services</li> <li>➤ Stenographic services (except court or stenographic reporting)</li> <li>➤ Stenography services, public</li> <li>➤ Stenotype recording services</li> <li>➤ Transcription services</li> <li>➤ Typing services</li> <li>➤ Word processing services</li> </ul>
LBCS - 2510 - Full-service restaurant - following only are permitted	<ul style="list-style-type: none"> <li>➤ Bagel shops, full service</li> <li>➤ Pizza parlors, full service</li> <li>➤ Pizzerias, full service</li> <li>➤ Restaurants, full service</li> </ul>
LBCS - 2520 - Cafeteria or limited services restaurant	
LBCS - 2530 - Snack or nonalcoholic bar	
LBCS - 2600- Personal services - following only are permitted	<ul style="list-style-type: none"> <li>➤ Automobile parking garages or lots</li> </ul>

Table 65-1 Land-Use Classification	
Uses Permitted	
	<ul style="list-style-type: none"> <li>➤ Nail salons</li> <li>➤ One-hour photofinishing services</li> <li>➤ Photofinishing labs, one-hour</li> <li>➤ Photofinishing services, one-hour</li> <li>➤ Phrenology services</li> </ul>
LBCS - 6511 - Clinics	<ul style="list-style-type: none"> <li>➤ These establishments include physician offices, dentists, chiropractors, optometrists, etc.</li> </ul>
LBCS - 6512 - Family planning and outpatient care centers	<ul style="list-style-type: none"> <li>➤ Family planning establishments provide outpatient family planning services, such as contraceptive services, genetic and prenatal counseling, voluntary sterilization, and other pregnancy services. Outpatient care centers or clinics have several practitioners with different specializations practicing within the same establishment. Many such centers also function as HMO medical centers and focus on primary health care. Some HMO centers also have functions related to insurance underwriting.</li> </ul>
LBCS - 6513 - Medical and diagnostic laboratories	<ul style="list-style-type: none"> <li>➤ These establishments are laboratories that provide analytic or diagnostic services, and other services, such as medical imaging, and forensics.</li> </ul>
LBCS - 6514 - Blood and organ banks	<ul style="list-style-type: none"> <li>➤ These establishments collect, store, or distribute blood and organs.</li> </ul>
LBCS - 6520 - Nursing, supervision, and other rehabilitative services	<ul style="list-style-type: none"> <li>➤ Establishments in this subcategory provide inpatient nursing and rehabilitative services and can accommodate patients for extended care. These establishments have licensed health care staff serving patients and other support staff for continuous personal care services. Convalescent homes, convalescent hospitals, inpatient care hospices, nursing homes, and rest homes with nursing care are a few examples of services these establishments provide. This category also includes mental retardation services (not licensed hospital care) to people with mental illness, substance abuse problems, psychiatric convalescent needs, etc. The focus of these services may include health care, but the primary purpose is protective supervision and counseling. Other terms used to describe these services are: alcoholism or drug addiction rehabilitation, mental health halfway houses, group homes for the emotionally disturbed, and psychiatric convalescent homes. Other rehabilitation services establishments in this category provide include boot or disciplinary camps (except correctional), housing services for hearing or visually impaired, disabled, etc.</li> </ul>
LBCS - 6530 - Hospital	<ul style="list-style-type: none"> <li>➤ Hospitals provide medical, diagnostic, and treatment services. These establishments often offer physician, nursing and specialized accommodation services for inpatient care.</li> </ul>

**Sec. 65-30 Site and Development Plan**

No use, building, or structure shall hereafter be established, constructed or used on any land in the Medical District for any purpose, until a site and development plan for such land, including the proposed medical district use or uses, shall have been filed with and approved by the Plan Commission

**Sec. 65-40 Plan Documentation and Supporting Information**

The site and development plan shall meet the requirements of Division 170 and also include a layout and elevation plans for all proposed buildings and structures, and shall indicate:

- A. Proposed medical uses.
- B. Any existing uses, buildings and structures.
- C. Proposed buildings and structures with heights and square footage indicated.
- D. Off-street parking layout with location of lighting and photometric.
- E. Other lighting with location and photometric.

- F. Vehicular entrances and exits and turnoff lanes.
- G. Internal circulation of motor vehicles and pedestrians.
- H. Provide sidewalks along public streets, excepting interstate and providing pedestrian accessibility to available public transit, if any. Sidewalks shall consist of the walkway, curbs, gutters and any curb ramps shall meet ADA standards.
- I. Queuing and by pass lane information related to any drive-thru complying *with Section 150.40: Drive Through Vehicle Stacking and By Pass Lan4s Requirements*.
- J. Commercial refuse collection facilities conforming to Clarksville ordinances.
- K. Setbacks.
- L. Landscaping, screens, walls, fences. Indicate common name of species, size, and locations with a summary table by species, size, and number.
- M. Signs, including location, size, and design thereof. Show the dimension of each of façade. Special waste and emergency disposal facilities.
- N. Storm drainage facilities.
- O. Locations of all utilities.

**Sec. 65-50 Site and Development Review**

Development in a Medical District is subject to the following site and development requirements. In review of the proposed site and development plan, the Plan Commission shall determine whether the site and development plan, proposed use, buildings and structures are:

- A. Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan.
- B. Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the hospital district and with adjacent uses.
- C. Provide sufficient and adequate access, parking and loading areas.
- D. Provide traffic control and street plan integration with existing and planned public streets and interior roads.
- E. Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan.

The Plan Commission may require conditions or commitments.

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**Sec. 70-10 Specific Purpose**

This district permits a horizontal and vertical mix of commercial and residential uses within the same building or property. The CLMU is intended to accommodate a physical pattern of development compatible with the historic characteristics of the existing predominate buildings and spaces. The zone is illustrated on Map 2.

**Sec. 70-20 Purposes of the CLMU Mixed-Use District:**

It is the purpose of this zone to implement the Clarks Landing Concept Plan through the following:

- A. Accommodate mixed-uses and buildings with neighborhood-serving retail, service, and other uses on the ground floor and residential units above the nonresidential space.
- B. CLMU developments contribute to a safe, livable, and walkable neighborhood with distinctive and attractive places.
- C. Encourage development that exhibits the physical design characteristics of pedestrian oriented, storefront-style shopping streets.
- D. Promote the health and well-being of residents, by encouraging physical activity, alternative transportation, and greater social interaction.
- E. Promote the developments that are compact, pedestrian-oriented, and consisting of a high-intensity employment center, vibrant and dynamic mixed-use areas, and residential living environments that provide a broad range of housing types.
- F. Promote a diverse mix of residential, business, commercial, office, institutional, civic, educational, cultural and entertainment activities for workers, visitors, and residents.
- G. Cluster and court yard designed areas are encouraged.
- H. Developments that have a low impact on storm water quality and are otherwise beneficial to the environment.

**Sec. 70-30 Definitions**

As used in this section, the following words and terms shall have the meanings specified herein:

- A. Mixed-use building means a building that contains permitted nonresidential uses and permitted residential uses.
- B. Mixed use- development means a development having more than one permitted use other than open space area.
- C. SHPO- State Historic Preservation Officer.
- D. TIA -Traffic impact analysis.
- E. LID- Low impact development.

**Sec. 70-40 Use Classification**

CLMU uses shall be in accordance with Table 70-1, Land Use Classification.

**Table 70-1 Land-Use Classification**

<b>Uses Permitted by Right</b>	
LBCS - 1100 - Residence or accommodation	<ul style="list-style-type: none"> <li>➤ This top-level category comprises all establishments offering residence or accommodation, such as homes, apartments, housing for the elderly, and hotels. Note that leased service departments (e.g. a grocery store in an apartment building) are usually considered separate establishments and should be classified separately in your database. See the detailed function dimension description for information on classifying leased service department</li> </ul>
LBCS - 1310 - Bed and breakfast inn	
LBCS - 1330 - Hotel, motel, or tourist court	<ul style="list-style-type: none"> <li>➤ These establishments comprise resort hotels that do not have gambling services. They may also offer food services, recreational services, convention hosting services, laundry services, etc. This subcategory includes extended stay hotels.</li> </ul>
LBCS - 1340 - Casino hotel	
LBCS - 2114 - Boat or marine craft dealer	
LBCS - 2120 - Heavy consumer goods sales or services - following are only permitted	<ul style="list-style-type: none"> <li>➤ <i>Tailor shops, alterations only</i></li> <li>➤ <i>Tuning and repair of musical instruments</i></li> <li>➤ <i>Watch repair shops without retailing new watches</i></li> </ul>
LBCS - 2121 - Furniture or home furnishings - following are permitted only	<ul style="list-style-type: none"> <li>➤ Bath shops</li> <li>➤ Chinaware stores</li> <li>➤ Custom picture frame shops</li> <li>➤ Glassware stores</li> <li>➤ Home furnishings stores</li> <li>➤ Housewares stores</li> <li>➤ Kitchenware stores</li> <li>➤ Lamp shops, electric</li> <li>➤ Linen stores</li> <li>➤ Picture frame shops, custom</li> <li>➤ Rug stores</li> <li>➤ Window treatment stores</li> </ul>
LBCS - 2125 - Electronics and appliances - following are only permitted	<ul style="list-style-type: none"> <li>➤ Cellular telephone stores</li> <li>➤ Telephone stores (including cellular)</li> <li>➤ TV (television) stores</li> <li>➤ Vacuum cleaner stores, household-type</li> </ul>
LBCS - 2131 - Computer and software	
LBCS - 2132 - Camera and photographic supplies	
LBCS - 2133 - Clothing, jewelry, luggage, shoes, etc - following are only permitted	<ul style="list-style-type: none"> <li>➤ Apparel accessory stores</li> <li>➤ Apparel stores, children's and infants' clothing</li> <li>➤ Apparel stores, men's and boy's clothing</li> <li>➤ Apparel stores, women's and girls' clothing</li> <li>➤ Athletic shoe (except bowling, golf, spiked) stores</li> <li>➤ Baby clothing shops</li> <li>➤ Bridal gown shops (except custom)</li> </ul>

Table 70-1 Land-Use Classification

Uses Permitted by Right	
	<ul style="list-style-type: none"> <li>➤ Clock shops</li> <li>➤ Clothing accessories stores</li> <li>➤ Clothing stores, children's and infants'</li> <li>➤ Clothing stores, family</li> <li>➤ Clothing stores, men's and boys'</li> <li>➤ Clothing store, women's and girls'</li> <li>➤ Coat stores</li> <li>➤ Costume jewelry stores</li> <li>➤ Dress Shops</li> <li>➤ Fabric shops</li> <li>➤ Family clothing stores</li> <li>➤ Fur apparel stores</li> <li>➤ Furnishings stores, men's and boys'</li> <li>➤ Furnishings stores, women's and girls'</li> <li>➤ Furriers</li> <li>➤ Handbag stores</li> <li>➤ Hat and cap stores</li> <li>➤ Hosiery stores</li> <li>➤ Jewelry stores, costume</li> <li>➤ Jewelry stores, precious</li> <li>➤ Leather coat stores</li> <li>➤ Tie shops</li> <li>➤ Unisex clothing stores</li> </ul>
LBCS - 2134 - Sporting goods, toy and hobby, and musical instruments - following are only permitted	<ul style="list-style-type: none"> <li>➤ Athletic equipment and supply stores (including uniforms)</li> <li>➤ Bicycle (except motorized) shops</li> <li>➤ Craft supply stores (except needlecraft)</li> <li>➤ Driving equipment stores</li> <li>➤ Exercise equipment stores</li> <li>➤ Footwear (e.g., bowling, golf, spiked) specialty sports, stores</li> <li>➤ Golf pro shops</li> <li>➤ Gun shops</li> <li>➤ Hobby shops</li> <li>➤ Pro shops (e.g., golf, skiing, tennis)</li> <li>➤ Sporting goods stores</li> <li>➤ Sports gear stores (e.g., outdoors, scuba, skiing)</li> <li>➤ Toy stores</li> <li>➤ Uniform stores, athletic</li> </ul>
LBCS - 2135 - Books, magazines, music, stationery - following are <b>not</b> permitted	<ul style="list-style-type: none"> <li>➤ Balloon shops</li> <li>➤ Curio shops</li> <li>➤ Magazine stands (i.e. permanent)</li> <li>➤ News dealers</li> <li>➤ Newsstands (i.e. permanent)</li> <li>➤ Office supply stores</li> <li>➤ Piano stores</li> <li>➤ School supply stores</li> </ul>

**Table 70-1 Land-Use Classification**

Uses Permitted by Right
LBCS - 2140 - Consumer goods, other- following are only permitted <ul style="list-style-type: none"> <li>➤ Art supply stores</li> <li>➤ Calendar shops</li> <li>➤ Candle shops</li> <li>➤ Collector's items shops (e.g., autograph, card, coin stamp)</li> <li>➤ Flower shops, artificial or dried</li> <li>➤ Religious goods (except books) stores</li> <li>➤ Trophy (including awards and plaques) shops</li> </ul>
LBCS - 2141 - Florist
LBCS - 2142 - Art dealers, supplies, sales and service
LBCS - 2143 - Tobacco or tobacconist establishment - following are only permitted <ul style="list-style-type: none"> <li>➤ Smokers' supply stores</li> </ul>
LBCS - 2144 - Mail order or direct selling establishment - following are only permitted <ul style="list-style-type: none"> <li>➤ Bazaars (i.e., temporary stands)</li> <li>➤ Catalog (i.e., order taking) offices of mail-order houses</li> <li>➤ Christmas trees, cut, direct selling</li> <li>➤ Order taking offices of mail-order houses</li> </ul>
LBCS - 2145 - Antique shops, flea markets, etc. - following are permitted only <ul style="list-style-type: none"> <li>➤ Antique shops</li> <li>➤ Rare manuscript stores</li> </ul>
LBCS - 2151 - Grocery store, supermarket, or bakery - following are permitted only <ul style="list-style-type: none"> <li>➤ Butcher shops</li> <li>➤ Delicatessens (except grocery store, restaurants)</li> <li>➤ Delicatessens primarily retailing a range of grocery items and meats</li> <li>➤ Fish markets</li> <li>➤ Food (i.e., groceries) stores - 2,500 square feet or less</li> <li>➤ Grocery stores - 2,500 feet or less</li> <li>➤ Meat markets</li> <li>➤ Seafood markets</li> </ul>
LBCS - 2152 - Convenience store
LBCS - 2153 - Specialty food store
LBCS - 2154 - Fruit and vegetable store
LBCS - 2155 - Beer, wine, and liquor store
LBCS - 2160 - Health and personal care
LBCS - 2161 - Pharmacy or drug store
LBCS - 2162 - Cosmetic and beauty supplies
LBCS - 2163 - Optical - following are only permitted
LBCS - 2210 - Bank, credit union, or savings institution
LBCS - 2200 - Credit and finance establishment - following are only permitted <ul style="list-style-type: none"> <li>➤ Agencies of foreign banks (i.e., trade financing)</li> <li>➤ Agreement corporation (i.e., international trade financing)</li> <li>➤ Banks, trade (i.e., international trade financing)</li> <li>➤ Edge Act corporations (i.e., international trade financing)</li> </ul>

**Table 70-1 Land-Use Classification**

<b>Uses Permitted by Right</b>
<ul style="list-style-type: none"> <li>➤ Export trading companies (i.e., international trade financing)</li> <li>➤ Export-Import banks</li> <li>➤ International trade financing</li> <li>➤ Loan correspondents (i.e., lending funds with real estate as collateral)</li> <li>➤ Trade banks (i.e., international trade financing)</li> </ul>
<p>LBCS - 2230 - Investment banking, securities, and brokerages - following are only permitted</p> <ul style="list-style-type: none"> <li>➤ Agencies, loan</li> <li>➤ Automated clearinghouses, bank or check (except central bank)</li> <li>➤ Bank clearinghouse associations</li> <li>➤ Check cashing services</li> <li>➤ Check clearing services (except central banks)</li> <li>➤ Check clearinghouse services (except central banks)</li> <li>➤ Check validation services</li> <li>➤ Clearinghouses, bank or check</li> <li>➤ Commercial not brokers' offices</li> <li>➤ Commodity contract trading companies</li> <li>➤ Futures commodity contracts broker's offices</li> </ul>
<p>LBCS - 2240 - Insurance-related establishment</p>
<p>LBCS - 2250 - Fund, trust, or other financial establishment</p>
<p>LBCS - 2300 - Real estate, and rental and leasing</p>
<p>LBCS - 2320 - Property management services - following are only permitted</p> <ul style="list-style-type: none"> <li>➤ Commercial real estate property managers' offices</li> <li>➤ Condominium managers' offices, commercial</li> <li>➤ Condominium managers' offices, residential</li> <li>➤ Managers' offices, residential condominium</li> <li>➤ Managing commercial condominiums</li> <li>➤ Managing commercial real estate</li> <li>➤ Managing cooperative apartments</li> <li>➤ Managing residential condominiums</li> </ul>
<p>LBCS - 2321 - Commercial property related - following are only permitted</p> <ul style="list-style-type: none"> <li>➤ Auditorium rental or leasing</li> <li>➤ Bank building rental or leasing</li> <li>➤ Banquet hall rental or leasing</li> <li>➤ Building, nonresidential (except mini warehouse), rental or leasing small &amp; commercial building rental or leasing</li> <li>➤ Concert hall, no promotion of events, rental or leasing</li> <li>➤ Conference center, no promotion of events, rental or leasing</li> <li>➤ Dance hall rental or leasing</li> <li>➤ Exhibition hall, no promotion of events, rental or leasing</li> <li>➤ Hall and banquet room, nonresidential, rental or leasing</li> <li>➤ Hall, nonresidential, rental or leasing</li> <li>➤ Mall property operation (i.e., not operating contained businesses) rental or leasing</li> <li>➤ Medical building rental or leasing</li> <li>➤ Meeting hall and room rental or leasing</li> <li>➤ Office building rental or leasing</li> <li>➤ Professional office building rental or leasing</li> <li>➤ Shopping center (i.e., not operating contained businesses) rental or leasing</li> <li>➤ Stadium, no promotion of events, rental or leasing</li> </ul>

**Table 70-1 Land-Use Classification**

<b>Uses Permitted by Right</b>	
	➤ Theater, property operation, rental or leasing
LBCS - 2331 - Cars - following are permitted only	<ul style="list-style-type: none"> <li>➤ Limousine rental without driver</li> <li>➤ Luxury automobile rental</li> <li>➤ Passenger car leasing</li> <li>➤ Passenger car rental</li> <li>➤ Passenger van leasing</li> <li>➤ Sport utility vehicle leasing</li> <li>➤ Sport utility vehicle rental</li> </ul>
LBCS - 2333 - Recreational goods rental - following are permitted only	<ul style="list-style-type: none"> <li>➤ Water ski rental</li> <li>➤ Yacht rental without crew</li> </ul>
LBCS - 2335 - Consumer goods rental - following are permitted only	<ul style="list-style-type: none"> <li>➤ Bridal wear rental</li> <li>➤ Clothing rental (except industrial launderer, linen supply)</li> <li>➤ Dress suit rental</li> <li>➤ Formal wear rental</li> <li>➤ Fur rental</li> <li>➤ Gown rental</li> <li>➤ Suit rental</li> <li>➤ Tuxedo rental</li> </ul>
LBCS - 2411 - Legal services - following are permitted only	<ul style="list-style-type: none"> <li>➤ Attorneys' offices</li> <li>➤ Attorneys' private practices</li> <li>➤ Barristers' office</li> <li>➤ Barristers' private practices</li> <li>➤ Corporate law offices</li> <li>➤ Counselors' at law offices</li> <li>➤ Counselors' at law private practices</li> <li>➤ Criminal law offices</li> <li>➤ Estate law offices</li> <li>➤ Lawyers' private practices</li> <li>➤ Notary publics' private practices</li> <li>➤ Paralegal services</li> <li>➤ Patent agent services (i.e., patent filing and searching services)</li> <li>➤ Patent attorneys' offices</li> <li>➤ Patent attorneys' private practices</li> <li>➤ Real estate law offices</li> <li>➤ Solicitors' private practices</li> <li>➤ Tax law attorneys' offices</li> <li>➤ Tax law attorneys' private practices</li> </ul>
LBCS - 2412 - Accounting, tax, bookkeeping, payroll services - following are permitted only	<ul style="list-style-type: none"> <li>➤ Accountants' (except CPAs) private practices</li> <li>➤ Accountants' (i.e., CPAs) private practices, certified public</li> <li>➤ Auditing accountants' (i.e., CPAs) private practices</li> <li>➤ Auditors' (i.e.) CPAs) private practices, accounts</li> <li>➤ Bookkeepers' private practices</li> </ul>

**Table 70-1 Land-Use Classification**

<b>Uses Permitted by Right</b>
<p>LBCS - 2413 - Property management services - following are permitted only</p> <ul style="list-style-type: none"> <li>➤ Building inspection bureaus</li> <li>➤ Drafting services</li> <li>➤ Engineers' private practices</li> <li>➤ Golf course design services</li> <li>➤ Landscape architects' private practices</li> </ul>
<p>LBCS - 2414 - Graphic, industrial, interior design services - following are permitted only</p> <ul style="list-style-type: none"> <li>➤ Studios, commercial art</li> </ul>
<p>LBCS - 2415 - Consulting services (management, environmental, etc.) - following are permitted only</p> <ul style="list-style-type: none"> <li>➤ Business start-up consulting services</li> <li>➤ CAD (computer-aided design) systems integration design services</li> <li>➤ CAD (computer-aided engineering) systems integration design services</li> <li>➤ CAD (computer-aided manufacturing) systems integration design services</li> <li>➤ Compensation consulting services</li> <li>➤ Compensation planning services</li> <li>➤ Computer disaster recovery services</li> <li>➤ Computer program or software development, custom</li> <li>➤ Computer programming services, custom</li> <li>➤ Computer software analysis and design services, custom</li> <li>➤ Computer software programming services, custom</li> <li>➤ Computer software support services, custom</li> <li>➤ Computer systems facilities (i.,e., clients facilities) management and operation services</li> <li>➤ Computer systems integration analysis and design services</li> <li>➤ Computer system integration design consulting services</li> <li>➤ Computer system integrator services</li> <li>➤ Computer-aided design (CAD) systems integration design services</li> <li>➤ Computer-aided engineering (CAD) systems integration design services</li> <li>➤ Computer-aided manufacturing (CAM) systems integration design services</li> <li>➤ Customer service management consulting services</li> <li>➤ consulting services</li> <li>➤ Network systems integration design services, computer</li> <li>➤ Programming services, custom computer</li> <li>➤ WEB (i.e., internet) page design services, custom</li> </ul>
<p>LBCS - 2417 - Advertising, media, and photography services - following are permitted only</p> <ul style="list-style-type: none"> <li>➤ Photography services, commercial</li> <li>➤ Photography services, portrait (e.g., still, video)</li> <li>➤ School photography (i.e., portrait photography) services</li> <li>➤ Sign language services</li> <li>➤ Speech (i.e., language) interpretation services</li> <li>➤ Translation services, language</li> <li>➤ Video taping services, special events (i.e., birthdays, weddings)</li> <li>➤ Wedding photography services</li> </ul>
<p>LBCS - 2421 - Office and administrative services - following are permitted only</p> <ul style="list-style-type: none"> <li>➤ Motel management services (except complete operation of client's business)</li> </ul>
<p>LBCS - 2424 - Business support services - following are permitted only</p> <ul style="list-style-type: none"> <li>➤ Answering services, telephone</li> </ul>

**Table 70-1 Land-Use Classification**

Uses Permitted by Right
<ul style="list-style-type: none"> <li>➤ Desktop publishing services</li> <li>➤ Document copying services (except combined with printing services)</li> <li>➤ Document duplicating services (except combined with printing services)</li> <li>➤ Floral wire services (i.e., telemarketing services)</li> <li>➤ Photocopying services (except combined with printing services)</li> <li>➤ Word processing services</li> </ul>
LBCS - 2510 - Full-service restaurant
LBCS - 2520 - Cafeteria or limited services restaurant - following are <b>not</b> permitted only <ul style="list-style-type: none"> <li>➤ Drive-in restaurants</li> </ul>
LBCS - 2530 - Snack or nonalcoholic bar
LBCS - 2600 - Personal services - following are permitted only <ul style="list-style-type: none"> <li>➤ Beauty and barber shops, combined</li> <li>➤ Beauty parlors</li> <li>➤ Beauty salons</li> <li>➤ Beauty shops</li> <li>➤ Cosmetology salons or shops</li> <li>➤ Drop-off and pick-up sites for laundries and drycleaners.</li> <li>➤ Dry cleaner drop-off and pick-up sites</li> <li>➤ Dry-cleaning plants (except rug cleaning plants)</li> <li>➤ Drycleaning services (except coin-operated)</li> <li>➤ Facial salons</li> <li>➤ Fortune-telling services</li> <li>➤ Laundry drop-off and pick-up sites</li> <li>➤ Laundry services (except coin-operated, linen supply, uniform supply)</li> <li>➤ Nail salons</li> <li>➤ One-hour photofinishing service</li> <li>➤ Palm reading or palmistry services, including tarot card readers, etc.</li> <li>➤ Parking lots, automobile</li> <li>➤ Parking services, valet</li> <li>➤ Pedicure and manicure salons</li> <li>➤ Pedicurist services</li> <li>➤ Photofinishing labs, one-hour</li> <li>➤ Pillow cleaning services</li> <li>➤ Psychic services</li> <li>➤ Sun tanning salons</li> <li>➤ Tanning parlors</li> <li>➤ Tattoo parlors</li> <li>➤ Unisex hair stylist shops</li> </ul>
LBCS - 3110 - Food and beverages - following are permitted only <ul style="list-style-type: none"> <li>➤ Bakery products, fresh (i.e., bread, cakes, doughnuts, pastries) made in commercial bakeries</li> <li>➤ Candy stores, chocolate, candy made on premises not for immediate consumption</li> <li>➤ Doughnuts (except frozen) made in commercial bakers (only for immediate sale)</li> <li>➤ Fudge, chocolate, made from purchased chocolate (for immediate sale in less than 1,800 sq ft.)</li> </ul>
LBCS - 3130 - Textiles - following are permitted only <ul style="list-style-type: none"> <li>➤ Tailored dress and sport coats, men's and boys' cut and sew apparel contractors</li> <li>➤ Tailored dress and sport coats, men's and boys', cut and sewn from purchased fabric (except apparel contractors)</li> <li>➤ Tuxedos cut and sew apparel contractors</li> </ul>

**Table 70-1 Land-Use Classification**

<b>Uses Permitted by Right</b>	
	<ul style="list-style-type: none"> <li>➤ Tuxedos cut and sewn from purchased fabric (except apparel contractors)</li> </ul>
LBCS - 3220 - Paper and printing materials - following are permitted only	<ul style="list-style-type: none"> <li>➤ Instant printing (i.e., quick printing)</li> <li>➤ Print shops, lithographic (offset) (except grey goods, manifold business forms, printing books, quick printing)</li> <li>➤ Print shops, quick</li> </ul>
LBCS - 3510 - Durable goods - following are permitted only	<ul style="list-style-type: none"> <li>➤ Diamonds (except industrial) wholesaling</li> </ul>
LBCS - 4131 - Local transit systems — mixed mode	<ul style="list-style-type: none"> <li>➤ These establishments operate ground passenger transit systems using multiple modes of transport over regular routes and on regular schedules within a local or metropolitan area. For these systems, use the other LBCS dimensions to classify the specific characteristics of each site (i.e. rail versus bus). For systems involving only one mode of transportation, use one of the more specific classifications.</li> </ul>
LBCS - 4132 - Local transit systems — commuter rail	<ul style="list-style-type: none"> <li>➤ Commuter rail establishments operate commuter rail systems over regular routes and on a regular schedule within a local area. Commuter rail is usually characterized by reduced fares, multiple ride, and commutation tickets and is mostly used by passengers during the morning and evening peak periods.</li> </ul>
LBCS - 4133 - Local transit systems — bus, special needs, and other motor vehicles	<ul style="list-style-type: none"> <li>➤ Use this classification for all single-mode local transit systems other than rail. Included are shuttle services and special needs transportation for the elderly, infirm, or handicapped. This classification may include scheduled and non-scheduled transit systems.</li> </ul>
LBCS - 4134 - Interurban, charter bus, and other similar establishments	<ul style="list-style-type: none"> <li>➤ These establishments operate non-local passenger buses or other motor vehicles. They may operate over regular routes and schedules, for charter (i.e. without regular routes and schedules), or for special needs transportation (not provided by school or work) for the infirm, elderly, or handicapped.</li> </ul>
LBCS - 4136 - Special purpose transit transportation (including scenic, sightseeing, etc.)	<ul style="list-style-type: none"> <li>➤ Use this classification for scenic or sightseeing land transportation. These establishments are classified separately because: (1) many do not offer transit between destination points (i.e. the destination is the same as the starting point); (2) they may operate both within local areas and over larger areas; (3) they may operate either mixed or single mode transit systems; and (4) they offer other services, such as tour guide services. It may be impossible to separate scenic and sightseeing transportation from certain transit systems. For commuter transit systems which also provide scenic or sightseeing services, use the appropriate local transit classification.</li> </ul>
LBCS - 4137 - Taxi and limousine service	<ul style="list-style-type: none"> <li>➤ These establishments provide passenger transportation by automobile or van, not over regular routes or regular schedules. Taxicab owner/operators, taxicab fleet operators, and taxicab organizations are included. Also, included are limousine and luxury sedan establishments, which may provide an array of specialty and luxury passenger transportation services</li> </ul>
LBCS - 4151 - Marine passenger transportation	<ul style="list-style-type: none"> <li>➤ Establishments in this class provide water transportation, including scenic and sightseeing, for passengers.</li> </ul>
LBCS - 4152 - Marine freight transportation	
LBCS - 4153 - Marine port and harbor operations	<ul style="list-style-type: none"> <li>➤ Establishments in this class operate ports, harbors (including docking and pier facilities), or canals.</li> </ul>
LBCS - 4160 - Courier and messenger services	<ul style="list-style-type: none"> <li>➤ Courier and messenger services are establishments that provide air, surface, or combined courier delivery services of parcels and messages within or between metropolitan areas or urban centers. These establishments may form a network including local, and point-to-point pick up and delivery.</li> </ul>
LBCS - 4212 - Software publisher	<ul style="list-style-type: none"> <li>➤ This classification comprises establishments that publish newspapers, magazines and other periodicals, books, databases, calendars, greeting cards, maps, and similar works. These works are usually protected by copyright, and may be published in one or more formats, such as print or electronic form, including online. Publishers may print, reproduce, distribute, or offer</li> </ul>

**Table 70-1 Land-Use Classification**

<b>Uses Permitted by Right</b>	
	direct access to the works, or may arrange others to carry out such functions. For printing establishments which do not publish, use the paper and printing
LBCS - 4221 - Motion Picture and video production, publishing, and distribution	<ul style="list-style-type: none"> <li>➤ This classification comprises establishments that produce or distribute motion pictures, videos, television programs, or commercials.</li> </ul>
LBCS - 4222 - Motion picture viewing and exhibition services	<ul style="list-style-type: none"> <li>➤ Establishments in this class operate movie theaters, drive-ins, film festival exhibitions, etc., for the display of motion pictures or videos.</li> </ul>
LBCS - 4223 - Sound recording, production, publishing, and distribution	<ul style="list-style-type: none"> <li>➤ This classification comprises establishments that produce, distribute, or publish music and musical recordings, or provide sound recording and related services.</li> </ul>
LBCS - 4231 - Radio and television broadcasting	<ul style="list-style-type: none"> <li>➤ The radio and television broadcasting classification includes establishments that operate broadcasting studios and facilities for over the air or satellite delivery of radio and television programs of entertainment, news, talk, etc. These establishments produce or purchase programs and generate revenue from the sale of air time to advertisers or from donations, subsidies, or the sale of programs.</li> </ul>
LBCS - 4232 - Cable networks and distribution	<ul style="list-style-type: none"> <li>➤ This class includes two types of establishments. Cable networks operate studios and facilities for the broadcasting of programs that are typically narrowcast in nature (limited format, such as news, sports, education, and youth-oriented programming). The services of these establishments are typically sold on a subscription or fee basis. Delivery of cable programs to customers is handled by distribution establishments that operate cable systems, direct-to-home satellite systems, or other similar systems.</li> </ul>
LBCS - 4233 - Wireless telecommunications	<ul style="list-style-type: none"> <li>➤ Telecommunications establishments operate, maintain, or provide access to facilities for the transmission of voice, data, text, sound, or full motion picture video between network termination points. A transmission facility may be based on a single technology or a combination of technologies. Use this classification for wireless telecommunications only.</li> </ul>
LBCS - 4240 - Information services and data processing industries	
LBCS - 4241 - Online information services	<ul style="list-style-type: none"> <li>➤ This comprises Internet access providers, Internet service providers, and similar establishments providing direct access through telecommunications networks to computer-held information compiled or published by others.</li> </ul>
LBCS - 4242 - Libraries and archives	<ul style="list-style-type: none"> <li>➤ This consists of establishments providing library or archive services. These establishments are engaged in maintaining collections of documents (e.g., books, journals, newspapers, and music) and facilitating the use of such documents (recorded information regardless of its physical form and characteristics) as are required to meet the informational, research, educational, or recreational needs of their user. These establishments may also acquire, research, store, preserve, and generally make accessible to the public historical documents, photographs, maps, audio material, audiovisual material, and other archival material of historical interest. All or portions of these collections may be accessible electronically.</li> </ul>
LBCS - 4243 - News syndicate	<ul style="list-style-type: none"> <li>➤ This class comprises establishments supplying information, such as news reports, articles, pictures, and features, to the news media.</li> </ul>
LBCS - 5110 - Theater, dance, or music establishment	<ul style="list-style-type: none"> <li>➤ This subcategory comprises establishments producing live presentations by actors and actresses, singers, dancers, musicians, and other performing artists. Establishments include: companies, groups, or theaters that produce theatrical presentations and dance (ballet, musicals, operas, plays, etc.); dinner theaters that produce theatrical productions and provide food and beverage for consumption on the premises; and groups or freelance artists producing live musical entertainment. Theater/dance groups or companies may or may not operate their own theater or other facility for staging their shows. Musical groups and artists may perform in front of a live audience or in a studio, and may or may not operate their own facilities for staging their shows.</li> </ul>

Table 70-1 Land-Use Classification

Uses Permitted by Right	
LBCS - 5120 - Sports team or club	<ul style="list-style-type: none"> <li>➤ These establishments are professional or semiprofessional sports teams or clubs participating in live sporting events, such as baseball, basketball, football, hockey, soccer, and jai alai games, before a paying audience. These establishments may or may not operate their own facility for presenting these events.</li> </ul>
LBCS - 5140 - Promoter of performing arts, sports, and similar events	<ul style="list-style-type: none"> <li>➤ Establishments in this subcategory organize, promote, and manage live performing arts productions, sports events, and similar events, such as state fairs, county fairs, agricultural fairs, concerts, and festivals. They may operate their own facilities, such as arenas, stadiums, and theaters, or rent from others; or they may operate these facilities for rent to other promoters. Theatrical (except motion picture) booking agencies are included in this subcategory.</li> </ul>
LBCS - 5150 - Agent for management services	<ul style="list-style-type: none"> <li>➤ Agents and managers representing and managing creative and performing artists, sports figures, entertainers, and other public figures. The representation and management includes activities, such as representing clients in contract negotiations; managing or organizing client's financial affairs; and promoting the careers of their clients.</li> </ul>
LBCS - 5160 - Independent artist, writer, or performer	<ul style="list-style-type: none"> <li>➤ This industry comprises independent (i.e., freelance) individuals primarily engaged in performing in artistic productions, in creating artistic and cultural works or productions, or in providing technical expertise necessary for these productions. This industry also includes athletes and other celebrities exclusively engaged in endorsing products and making speeches or public appearances for which they receive a fee.</li> </ul>
LBCS - 5210 -Museum	<ul style="list-style-type: none"> <li>➤ These establishments preserve and exhibit objects of historical, cultural, or educational value.</li> </ul>
LBCS - 5220 - Historical or archeological institution	<ul style="list-style-type: none"> <li>➤ These establishments preserve and exhibit sites, buildings, forts, or communities that describe events or persons of particular historical interest. Archeological sites, battlefields, historical ships, and pioneer villages are included in this subcategory.</li> </ul>
LBCS - 5330 - Casino or gambling establishment	<ul style="list-style-type: none"> <li>➤ These comprise establishments (except casino hotels) that operate gambling facilities, such as casinos, bingo halls, and video gaming terminals, or that provide gambling services, such as lotteries and off-track betting. These establishments may provide food and beverage services. Included in this subcategory are floating casinos (i.e., gambling cruises, and riverboat casinos).</li> </ul>
LBCS - 5360 - Marina or yachting club facility operators	<ul style="list-style-type: none"> <li>➤ Marinas operate docking and storage facilities for pleasure craft owners. They may retail fuel and marine supplies, and may repair, maintain, or rent pleasure boats in addition to operating facilities.</li> </ul>
LBCS - 5370 - Fitness, recreational sports, gym, or athletic club,	<ul style="list-style-type: none"> <li>➤ These establishments operate fitness and recreational sports facilities, or, provide services for fitness or recreational sports teams, clubs, or individual activities. The facilities-operating establishments to be classified here include: fitness clubs, gyms, archery and shooting ranges, horseback riding establishments, recreational ball parks and courts, and more. Sporting establishments that operate certain types of facilities are classified in other categories. For example, a yacht club operating a marina or docking facility is classified elsewhere (but a yacht club which does not operate such a facility, is classified here). For sporting establishments that operate facilities, first check whether a unique function code applies; if not, use this classification.</li> </ul>
LBCS-5380 - Bowling, billiards, pool, etc.	<ul style="list-style-type: none"> <li>➤ This subcategory comprises establishments operating bowling billiards, or pool centers. These establishments often provide food and beverage services.</li> </ul>
LBCS - 6120 - Grade schools	<ul style="list-style-type: none"> <li>➤ This category comprises all public, private, and specialty schools between the preschool and university level. The individual classifications are based on traditional age and educational level distinctions. Includes the following:                     <ul style="list-style-type: none"> <li>❖ <i>6121 Elementary</i></li> </ul> </li> </ul>

Table 70-1 Land-Use Classification

Uses Permitted by Right	
❖	6122 Middle
❖	6123 Senior
❖	6124 Continuance
❖	6125 Alternate education services
	❖ Use this classification for all schools below the university level offering specialized services, such as for the physically or mentally disabled.
LBCS - 6130 - Colleges and Universities	
➤	These comprise junior colleges, colleges, universities, and professional schools. These establishments furnish academic or technical courses and grant degrees, certificates, or diplomas at the associate, baccalaureate, or graduate levels. The requirement for admission is at least a high school diploma or equivalent general academic training.
LBCS - 6141 - Beauty schools	
➤	These establishments primarily train in barbering, hair styling, or the cosmetic arts, such as makeup or skin care. These schools provide job-specific certification.
LBCS - 6142 - Business management	
➤	These establishments offer courses in office procedures, secretarial skills, stenographic, and basic office skills. In addition, these establishments may offer such classes as office machine operation, reception, and communications, designed for individuals pursuing a clerical or secretarial career.
LBCS - 6143 - Computer training	
➤	These establishments conduct computer training (except computer repair), in computer programming, software packages, computerized business systems, computer electronics technology, computer operations, and local area network management. Instruction may be provided at the establishment's facilities or at an off-site location.
LBCS - 6145 - Fine and performing arts education	
➤	These establishments offer instruction in the arts, including dance, art, drama, and music.
LBCS - 6147 - Sports and recreation education	
➤	Sports and recreational education establishments, such as camps and schools, offer instruction in athletic activities to groups of individuals. Overnight and day sports camps are included in this class. However, if the camp primarily involves camping or outdoor type activities other than instruction, use the camping category under recreation and amusement.
LBCS - 6200 - Public administration	
LBCS - 6210 - Legislative and executive functions	
➤	Some planning applications may require additional categories to differentiate various local departments (e.g., public works versus planning). In such cases, use the ownership dimension to create additional categories at the fourth-digit level.
LBCS - 6221 - Courts	
➤	Use this classification for civilian courts of law (except Indian tribal and Alaska Native courts). Included are civilian courts, courts of law, and sheriffs' offices conducting court functions only.
LBCS - 6410 - Fire and rescue	
➤	Fire and rescue establishments engage in fire fighting and other related fire protection activities. Establishments providing fire protection along with ambulance or rescue services are classified here.
LBCS - 6420 - Police	
➤	Police establishments provide criminal and civil law enforcement, police, traffic safety, and other activities related to the enforcement of the law and preservation of order. Combined police and fire departments are included. For private guard and security services, use the appropriate sales and services classification.
LBCS - 6430 - Emergency response	
➤	Use this classification for establishments providing ground or air transportation for medical relief purposes. These services are often provided during a medical emergency but are not restricted to emergencies. The vehicles are equipped with lifesaving equipment operated by medically trained personnel.
LBCS - 6500 - Health and human services	

**Table 70-1 Land-Use Classification**

<b>Uses Permitted by Right</b>
LBCS - 6500 - Ambulatory or outpatient care services
LBCS - 6511 - Clinics <ul style="list-style-type: none"> <li>➤ These establishments include physician offices, dentists, chiropractors, optometrists, etc.</li> </ul>
LBCS - 6512 - Family planning and outpatient care centers <ul style="list-style-type: none"> <li>➤ Family planning establishments provide outpatient family planning services, such as contraceptive services, genetic and prenatal counseling, voluntary sterilization, and other pregnancy services. Outpatient care centers or clinics have several practitioners with different specializations practicing within the same establishment. Many such centers also function as HMO medical centers and focus on primary health care. Some HMO centers also have functions related to insurance underwriting.</li> </ul>
LBCS-6513-Medical and diagnostic laboratories <ul style="list-style-type: none"> <li>➤ These establishments are laboratories that provide analytic or diagnostic services, and other services, such as medical imaging, and forensics.</li> </ul>
LBCS - 6514 - Blood and organ banks <ul style="list-style-type: none"> <li>➤ These establishments collect, store, or distribute blood and organs.</li> </ul>
LBCS - 6520 - Nursing, supervision, and other rehabilitative services <ul style="list-style-type: none"> <li>➤ Establishments in this subcategory provide inpatient nursing and rehabilitative services and can accommodate patients for extended care. These establishments have licensed health care staff serving patients and other support staff for continuous personal care services. Convalescent homes, convalescent hospitals, inpatient care hospices, nursing homes, and rest homes with nursing care are a few examples of services these establishments provide. This category also includes mental retardation services (not licensed hospital care) to people with mental illness, substance abuse problems, psychiatric convalescent needs, etc. The focus of these services may include health care, but the primary purpose is protective supervision and counseling. Other terms used to describe these services are: alcoholism or drug addiction rehabilitation, mental health halfway houses, group homes for the emotionally disturbed, and psychiatric convalescent homes. Other rehabilitation services establishments in this category provide include boot or disciplinary camps (except correctional), housing services for hearing or visually impaired, disabled, etc.</li> </ul>
LBCS - 6562 - Child day care <ul style="list-style-type: none"> <li>➤ Child day care establishments primarily care for infants and preschool children and often offer pre-kindergarten education programs. Some provide care services for older children.</li> </ul>
LBCS - 6566 - Services for elderly and disabled <ul style="list-style-type: none"> <li>➤ These establishments serve the elderly and persons with disabilities in a variety of ways (not at their homes). Services typically include group support, companionship, day care, homemaker services, etc. This class does not include housing for the elderly.</li> </ul>
LBCS - 6567 - Veterans affairs <ul style="list-style-type: none"> <li>➤ These establishments provide health and human services for veterans. Many such facilities also maintain liaison and coordination functions.</li> </ul>
LBCS - 6568 - Vocational rehabilitation <ul style="list-style-type: none"> <li>➤ Establishments in this class provide job counseling, job training, and other vocational services. Their primary clients are unemployed, underemployed, disabled, homeless, etc.</li> </ul>
LBCS - 6810 - Labor and political organizations <ul style="list-style-type: none"> <li>➤ These establishments promote the interests of organized labor and union employees, national, state, or local political parties or candidates. Included are labor unions, political groups, and political fund raising groups.</li> </ul>
LBCS - 6820 - Business associations and professional membership organizations <ul style="list-style-type: none"> <li>➤ These establishments promote the business interests of their members, or of their profession as a whole. They may conduct research on new products and services; develop market statistics; sponsor quality and certification standards; lobby public officials; or publish newsletters, books, or periodicals for distribution to their members.</li> </ul>
LBCS - 6830 - Civic, social, and fraternal organizations <ul style="list-style-type: none"> <li>➤ This category comprises establishments that promote the interests of their members, or, that promote a particular cause (except labor, political, or professional organizations). These establishments may provide grant making foundations or charitable trusts, raise funds for social welfare activities, such as health, educational, scientific, and cultural activities.</li> </ul>

**Table 70-1 Land-Use Classification**

Uses Permitted by Right	
	They may solicit contributions and offer memberships. Establishments in this category may operate bars and restaurants for their members.
LBCS - 7110 - Land development and subdivision	<ul style="list-style-type: none"> <li>➤ Establishments in this subcategory subdivide real property into lots and develop building lots for sale.</li> </ul>

**Sec. 70-50 Requirements**

An application, available in the planning office shall be submitted and provide documentation and a detailed District Development Plan conforming to the requirements of this section. The District Development Plan shall address the requirements of this section and additional information, as may be required to demonstrate conformance with this section.

**A. Development Plan**

An applicant for a building permit shall file a District Development Plan in compliance with this section and Division 170 or any amendment to said ordinance concerning development plan requirements. Additionally, the District Development Plan shall:

1. Establish the character of the development, including out lots, accessory structures and related development in keeping with the theme of the CLMU and historic significances of the district.
2. The District Development Plan shall also demonstrate how the proposed development implements the Clark’s Landing concept plan.
3. Address building design, materials, design of focal points, amenity areas and streetscape design.
4. Address pedestrian access design, including points of connectivity to other parts of the CLMU.
5. Legal description of property.
6. Key number of property.
7. Zoning classification of adjacent properties.
8. Proposed lot/parcels size, setback lines with dimensions.
9. All street and public right-of-ways, access locations, their dimensions including right-of-way and pavement widths.
10. Low impact development techniques, as set out in this ordinance.
11. Any proposed restrictions and/or covenants.
12. Any shared use agreements including but not limited to storm water and parking shall be provided parking.
13. Use and size of any existing or proposed buildings.
14. All recorded and proposed easements.
15. Location and width of adjoining rights-of-ways of public ways, including sidewalks, streets and/or roadways and width of pavement or improvement.
16. Proposed interior circulation pattern and traffic flow for vehicles and pedestrians.
17. Location and size of all loading docks and areas.
18. Location of all dumpsters with details showing compliance with the Clarksville Commercial Refuse Ordinance.
19. Method of handling sanitary sewage.

20. Storm water management plan meeting the Clarksville Storm Water ordinances including drainage calculations and any affects on downstream areas.
21. Water supply including size of lines and water provider.
22. Location of any existing and proposed cell towers, antenna, billboards, and on-premises signs.
23. Any subsurface water problems.
24. Well head protection area.
25. Location of all exterior lighting, with photometric, total height of all lighting and pole fixtures from ground elevation, and specification sheets for light fixture and poles. Lighting shall conform with the Clarksville Lighting Ordinance.
26. Location of fire hydrants and water lines serving the hydrant.
27. Landscaping plan including size, number and species of all plants including their location.
28. Any fencing, mounding, berming or landscape easements.
29. Elevations of all sides of all buildings, materials samples, color boards, and colored renderings.
30. Adjacent land uses.
31. Adjacent property owners names.
32. Traffic impact analysis if thresholds are met or exceeded.
33. Location of parking spaces, their number, and parking lot layout including the size and location, and location and width of aisles.
34. Square footage of all outside dining areas.
35. Handicap accessible parking places, sidewalks & ramps.
36. Location of Knox Box and keys.
37. SHPO review comments, as required by this section or any state or federal regulations.
38. A copy of the plan and report meeting the requirements of 2004-SW-02 and any amendments shall be provided to the Clarksville Storm Water Dept for their review and approval. Documentation of such approval shall be included in the District Development Plan documentation.
39. A minimum of seven complete paper sets of site construction drawings.
40. A compact disk electronic file with PDF files for site construction drawings.
41. A compact disk electronic file in CAD format of the storm water plans.
42. Provide six copies of the site development plans, one PDF, and two paper set of a detailed set construction plans for all structures.
43. Any and all new, renovated or altered food establishment must submit drawing to the Clark County Health Dept for approval. Documentation of approval of the Clark County Health Department shall be provided with the Development Plan.
44. Other items necessary to explain the development and it's impact on the community.

**B. Compatibility of the Development with Surrounding Land Uses and Buildings**

The CLMU includes structures and districts that are eligible for the National Registry of Historic Places. Design and development within this district shall consider the historic significance of the area and be compatible in mass and scale with historic structures, in the district. SHPO shall be given the opportunity to review and comment upon any improvement that may impact the character of a structure eligible for the National Registry. The Plan Commission

shall consider any comments from the SHPO.

Improvements shall be compatible in function, height, mass, and scale with adjacent improvements and this section. These shall include renovation of existing and proposed structures and accessory structures.

**C. Low Impact Development**

Because the original area encompassed in the CLMU currently has a large amount of pervious open spaces, and will promote high density development, this section requires that all development sites be designed and developed to reduce storm water impacts. The techniques used to reduce storm water impacts shall be included in the District Development Plan. Development in the CLMU shall use permeable pavement for sidewalk construction materials, parking stalls and spillover parking, sidewalks, driveways and trails that allow storm water to seep through into the ground.

Reduce the total length of residential streets by examining alternative street layouts to determine the best option for increasing the number of homes per unit length.

Section 150-80 and the following techniques may be used:

1. Cluster residential, cottage, courtyard and commercial developments.
2. Reduction of impervious area.
3. Porous paving and porous pavers.
4. Bio-retention cells and rain gardens.
5. Grass filter strips and swales.
6. Green roofs.
7. Other techniques as may be appropriate.

**D. Interim Uses**

Compatible interim uses may be approved by the Technical Review Committee during planning, development and construction of a development. Such interim uses shall not exceed 36 months without the approval of the Plan Commission at a public hearing. Interim uses may include construction trailers, storage yards, and other temporary uses necessary or desirable in the redevelopment, development, or construction activities.

**E. Amenities**

Retail, office, and mixed use developments exceeding 1,500 square feet of leasable space shall set aside an area equivalent to 5% of the total leasable space for outdoor amenities. Outdoor amenities assist in fulfilling the intent of the Clarks Landing Concept Plan. Amenity areas shall be adjacent to the development or within 660 feet and include an accessible by a clear path to the amenity. Amenities may be centralized or dispersed throughout a development.

One seat per 200 square feet of amenity area shall be provided. Seating areas shall be shaded and at least 20% of open spaces shall be shaded or used for landscaping.

These amenities may include:

1. Sidewalk patio area or plaza at least 10 feet wide and provide seating complying with Division 150.
2. Outdoor dining complying with Division 150.
3. Landscape green area with seating.
4. Outdoor playground area.
5. Water feature.

- Others that may be permitted by the Plan Commission.

**F. Building Height**

The CLMU is divided into six height zones. These permitted building heights are shown in Table 70-2 and on Map 2. A story is considered 10 feet in height for this section.

**G. Utilities**

Drawings shall show the size and location of water, sanitary sewers, storm water drainage, and other utilities as cable, internet. All new utilities shall be buried.

Internet service shall be provided.

**H. Management of Traffic and Circulation**

The design of traffic within and outside the development shall ensure the following:

- Pedestrian and transit modes of transportation shall be the primary modes within the district. All developments shall provide clear path sidewalks at least five feet in width, unless specified otherwise in this section. All sidewalks shall connect to the primary sidewalk within a distance of 600 feet.

<i>Land Use</i>	<i>Threshold</i>
Residential	150 Dwelling
Retail / Service	16,000 square feet
Fast Food Restaurant (GFA)	2,500 square feet
Convenience Store with Gas Pumps (GFA)	1,300 Square Feet or pumps
Bank with Drive-thru	4,000 square feet
Lodging	50 Rooms
Entertainment, assembly and spectator sports	50 seats
Office	30,000 square feet
Medical facility	30,000 square feet
Educational	16,000 square feet
Big box	16,000 square feet
Drive-thru lane	Any proposed new or reconfigured drive-thru

circulation facilities in the development plan are compatible with existing and planned streets and adjacent developments.

- Management of traffic shall be done in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the district and community. A TIA shall be submitted for any proposed development meeting or exceeding the following in Table 70-3:

Additionally, the Technical Review Committee or the Plan Commission may require a TIA to document the sufficiency of streets, sidewalks, and to adequately accommodate the highway carrying capacity that the traffic generated by

<b>Zone</b>	<b>Height</b>
0	No Stories
1	1 Story
2	1-2 Stories
3	1-4 Stories
4	1-3 Stories
5	1-8 stories

2. Transit stops are available at South Clark Boulevard, Woerner Avenue, and Riverside Drive, Transit stops other than these may be required and the cost shared with the development generating the need.

3. The location of proposed street and highway access points minimize safety hazards and congestion

4. The capacity of adjacent streets and highways shall be sufficient to safely and efficiently accept traffic that will be generated by the new development. A TIA may be required to document the sufficiency of the developer.

5. That the entrances, streets, and internal traffic

existing uses and a new development.

**I. Building Setback**

The development plan shall show proposed setbacks of all structures,

1. The entire building façade must abut front and street side property lines or have a 15 foot setback of such property lines to accommodate amenities, landscape focus areas, outdoor seating/eating areas, stoops and street furniture and wider sidewalks.
2. The minimum rear setback is the [0–30] percent of the lot depth. The appropriate minimum building setback will depend on a lot and development patterns in the area. When alleys abut the rear of CLMU lots, no rear setback, may be necessary, except perhaps for upper floors. However, when CLMU-zoned lots will abut the rear property line of residential lots, buildings in the CLMU district shall be setback 30 feet from the rear property lines.
3. No interior side setbacks are required in the CLMU district, except when CLMU-zoned property abuts R-zoned property, in which case the minimum side setback required in the CLMU district shall be the same as required for a residential use on the abutting R-zoned lot to protect the privacy and open feeling expected within residential rear yards.

**J. Lot Area**

There is no minimum lot, except as required to meet development standards of this section.

**K. Lot Area Coverage**

There is no maximum lot area coverage.

**L. Building Separation**

There is no separation requirement, except when adjacent to a structure eligible for the National Register of Historic Places. When adjacent or, within 25 feet of a structure or district eligible for the National Register, a letter from the SHPO shall be submitted with the application as documentation of compliance with Section 106 of the [National Historic Preservation Act of 1966 \(NHPA\)](#).

**M. Vehicle and Pedestrian Circulation**

The pedestrian circulation system is the dominate mode of transportation within the district. Transit stops shall be provided by the town at Woerner Avenue intersections with South Clark Boulevard and Riverside Drive.

Any new sidewalk along Woerner Avenue shall be at least nine feet wide with focus landscaping and street furniture.

**N. Parking**

Parking areas shall be of hard surface, dustless and meet the requirement for compliance with the ADA.

1. Unless otherwise approved by the Plan Commission and recommended by the Technical Review Committee as part of a district development plan, parking shall conform to Division 195. Parking structures may be permitted and count toward the minimum number of spaces required.
2. No off-street parking is required for nonresidential uses in CLMU districts unless such uses exceed eight hundred [800] square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of 800 square feet.
3. Except along Woerner Avenue, off-street parking spaces must be located to the rear of the principal building or otherwise or if adjoining a residential use or zone, screened so as not to be visible from the residential use, zone, or a public right-of-way.
4. Drive thru vehicle stacking in compliance with sec. 150-40.

**O. Landscaping**

All landscaping shall be irrigated and include color for each season of the year. A landscape plan shall be submitted with the Development Plan including a table that includes:

1. Species botanical and common name.
2. Number of each species.
3. Location of each plant with plant species indicated.
4. Minimum caliper.
5. Minimum height.
6. Height at maturity.

**P. Scale, Materials, and Style of Improvements**

1. Each building or structure, including transit stops, newspaper vending, and similar structures shall be compatible in design, theme, and architecture.
2. Exterior materials shall include brick, stone, and stucco, and decorative split-face concrete, architectural block with a rough, stone-like texture, metal, and glass.
3. No more than 5% of any exterior wall shall be E.I.F.S, or vinyl siding.
4. Windows of retail buildings shall be of a scale and character in keeping with a mid 19th century main street style and incorporate such features including but not limited to bays, decorative stone frames, wood moldings and trim, shutters, arches or awnings.
5. Commercial buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.
6. Commercial building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
7. The sidewalk along Woerner Avenue shall not be at less nine feet wide with focus landscaping and street furniture.

**Q. Commercial Establishment Size Limits**

The gross floor area of commercial buildings in the CLMU district shall not exceed 6,000 square feet.

**R. Indoor/Outdoor Operations**

All permitted uses in the CLMU district shall be conducted within completely enclosed buildings unless otherwise expressly authorized. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor eating or seating areas.

**S. Floor-to-Floor Heights and Floor Area of Ground-floor Space**

1. All commercial floor space provided on the ground floor of a mixed-use building must have a minimum floor-to-ceiling height of [11] feet.
2. All commercial floor space provided on the ground floor of a mixed-use building must contain the following minimum floor area:
  - a. At least [800] square feet or [25] percent of the lot area (whichever is greater) on lots with street frontage of less than [50] feet; or
  - b. At least 20 percent of the lot area on lots with [50] feet of street frontage or more.

**T. Commercial Signage**

No sign shall be dynamic, have movement, or appear to change, or appear to incorporate flashing, scrolling, or rotating movement, caused by any method other than physically moving or replacing sign components.

Signs shall not exceed 7% of the façade fronting on any public street and shall be limited to:

1. Window signs.
2. Awning signs.
3. Monument.
4. Projecting, if approved.

**U. Recreation and Open Space**

Cluster and court yard dwellings shall provide private an open space, which may include porches, patio, balconies, front, side, or back yards and have a common open space area.

Public parks and civic places shall also provide open space and count toward required open space if within 660 feet of the dwelling unit or development.

**V. Outdoor Lighting**

Outdoor lighting shall meet the requirements of Division 190 as may be amended and the following:

1. Lighting shall not cause a nuisance due to light trespass, spill or glare, or reflected glare, or visual discomfort regardless of standards of the Illumination.
2. The Illuminating Engineering Society of North America [IESNA] is minimum and not a general recipe or “one size fits all” solution to lighting in the CLMU.
3. Electrical service shall be underground.

**W. Design**

The CLMU district includes a mixture of development and structure configurations not present in other town zones. Due to the location and existing situations, the CLMU addresses a multitude of planning and design concepts, ranging from infill and adaptive re-use to redevelopment and new development. Design, therefore, shall include the following:

1. Accommodation of greater density while respecting desired neighborhood character.
2. Encourage quality design while facilitating affordable housing.
3. Provide for automobile parking while contributing to pedestrian-friendly street frontages.
4. Increase density while providing usable open space.
5. Minimize impervious surfaces while ensuring durable vehicle areas; and
6. Allow the new while respecting the old.

**X. Retail Uses & Transparency**

1. A minimum of 60–75 percent of the street-facing building façade between two feet and eight feet in height must be comprised of windows that allow views of indoor space or product display areas.
2. The bottom of any window or product display window used to satisfy the transparency standard of paragraph (1) above may not be more than [3–4.5] feet above the adjacent sidewalk.
3. Product display windows used to satisfy these requirements must have a minimum height of four feet and be internally lite.

**Y. Doors and Entrances**

1. Buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.
2. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

**Z. Facades and Exterior Walls**

Facades or exterior walls exceeding 12 feet in length, as measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3 percent of the length of the façade or wall.

Retail and commercial street level façades that face public streets shall have arcades, display windows, intrigue areas, awnings and other such features.

Building façades shall include at least two of the following:

1. Color changes.
2. Texture change.
3. Material change.
4. Trellis.
5. Architectural or structural change that may include among other architectural or structural elements projecting ribs or offsets.
6. Other similar change in the façade meeting the intent and purpose of this ordinance.
7. Roof shall have parapets that conceal all rooftop equipment such as HVAC units from public view. Parapet shall not exceed one-third of a height of the supporting wall.

**Sec. 70-60 Materials and Colors****A. Materials**

Materials shall be high-quality masonry materials, including, brick, stone, or stone, and if approved by the Plan Commission tinted/textured concrete masonry units.

**B. Colors**

Colors of facades shall be low reflectance, subtle, neutral hues or colors. The use of high-fluorescent colors shall be prohibited.

Building trim and accent areas may feature brighter colors, including primary colors, and neon tubing shall be acceptable features for building trim or accent areas.

**C. Entryways**

Entryways shall have clearly defined, highly visible customer entrances identified through the use of any of the following:

1. Canopies or porticos.
2. Overhangs.
3. Recesses/projections.
4. Arcades.
5. Raised cornice parapets over the door.

6. Peaked roof forms.
7. Arches.
8. Outdoor patios.
9. Display windows.
10. Architectural details that are integrated into the building structure and design.
11. Planters or wing walls that are incorporated into the landscape areas and/or places for sitting.

**D. Site Design and Relationship**

1. Excluding movie theaters, all sides of a retail building that directly faces and abuts public streets should include at least one customer entrance.
2. The rear lot line shall not be less than 35 feet where the façade faces adjacent residential uses or of a residential zone, an earthen berm, of sufficient height and containing adequate landscaping shall be provided.
3. The site design shall provide a direct connection and safe street crossings to adjacent land uses. This shall be accomplished to the utilization of the network sidewalks and walkways.
4. In no instance shall sidewalk be less than 4 feet in width; however sidewalks of sufficient width to separate pedestrians from vehicular related elements such as regulatory signage, fire hydrants, etc. shall be provided and connected to the sidewalks along Woerner Avenue.
5. Internal walkways and sidewalks shall be distinguished from driving surfaces to the use of low maintenance materials such as pavers; bricks are scored concrete in an effort to enhance safety and comfort as well as the aesthetics of the sidewalk.
6. In order to preserve the width of the sidewalk wheel stop shall be used at parking spaces or a vegetated area of sufficient width shall be provided to avoid the overhang of any part of a vehicle over a sidewalk.
7. Internal pedestrian walkways shall connect with the exterior sidewalks system connecting with the CLMU district.

**E. Noise**

Noise levels shall be as follows: “daytime” for non-stationary sources means six (6) a.m. to eleven (11) p.m. and “night time” for non-stationary sources shall mean eleven (11) p.m. to six (6) a.m.; “daytime” for fixed sources shall mean seven (7) a.m. to nine (9) p.m. and “night time”, for fixed sources shall mean nine (9) p.m. to seven (7) a.m. No public address systems shall be permitted.

**F. Additional Requirements**

The plan documentation and supporting information that must be submitted include the requirement for a district development review, at the time of application.

Land Use	Decibels	
	Time of Day	
	Day Time	Night Time
Residential	72	62
Business	78	70

**Sec. 70-70 Assurances**

Depending on the specific case, other requirements considered reasonable and appropriate may be required by the Technical Review Committee or the Plan Commission and the following:

1. The following assurances shall be required for certain developments in the CLMU.

2. The petitioner shall provide financial assurance for the satisfactory installation of all public facilities in the form of bonds or such other assurances as are required in the normal procedures of platting pursuant to the provisions of Section A of Article IV of the Subdivision Regulations.
3. In conformance with Article IV Section B of the Clarksville Subdivision Regulations, adequate provision shall be made for a private organization with legal and direct responsibility to, and control by, the property owners involved providing for the operation and maintenance of all common facilities jointly shared by such property owners if such facilities are a part of the CLMU development, and, in such instance, legal assurances shall be provided which show that the private organization is self-perpetuating and adequately funded to accomplish its purposes.
4. Common facilities, which are not dedicated to the public, shall be maintained to standards assuring continuous and adequate maintenance at a reasonable and non-discriminatory rate of charge to the beneficiaries thereof. Common facilities not dedicated to the public shall be operated and maintained at no expense to any governmental unit.

**Sec. 70-80            Commitments**

Commitments can either restrict or mandate actions to be taken regarding a CLMU development.

Commitments may be required by the Plan Commission for stability and longevity of the CLMU plan, specific development plans, and may set forth in detail provisions for the ownership and maintenance of facilities held in common so as to reasonably insure their continuity and conservation. Commitments may include specific remedies in the event facilities held in common are permitted to deteriorate or are not maintained in a condition consistent with the best interests of the entire Town, and in such event the Town shall take those remedial steps provided for in such provision.

The Plan Commission may require the recording of commitments for any reasonable private, public or semi-public purpose, including, but not limited to, the allocation of land by the petitioner for public thoroughfares, parks, schools, recreational facilities, and other public and semi-public purposes wherever necessary in conformity with the CLMU district.

Any change in the approved development must be submitted for approval by the Plan Commission. Such modified development plan, when approved, shall be treated in the same manner as approved detailed site plans for an entire CLMU plan.

Commitments are binding on the owner of the parcel, subsequent owners of the parcel and any person who acquires an interest in the parcel.

Commitments may be enforced by the Plan Commission or the Town Council. The identity of the owners shall be determined from the Clark County Auditor's office.

The Plan Commission has the perpetual right to modify or terminate commitments by decision of the Plan Commission at a public hearing so long as the CLMU is in existence. Commitments shall automatically terminate upon a rezoning of the property to a different zoning classification.

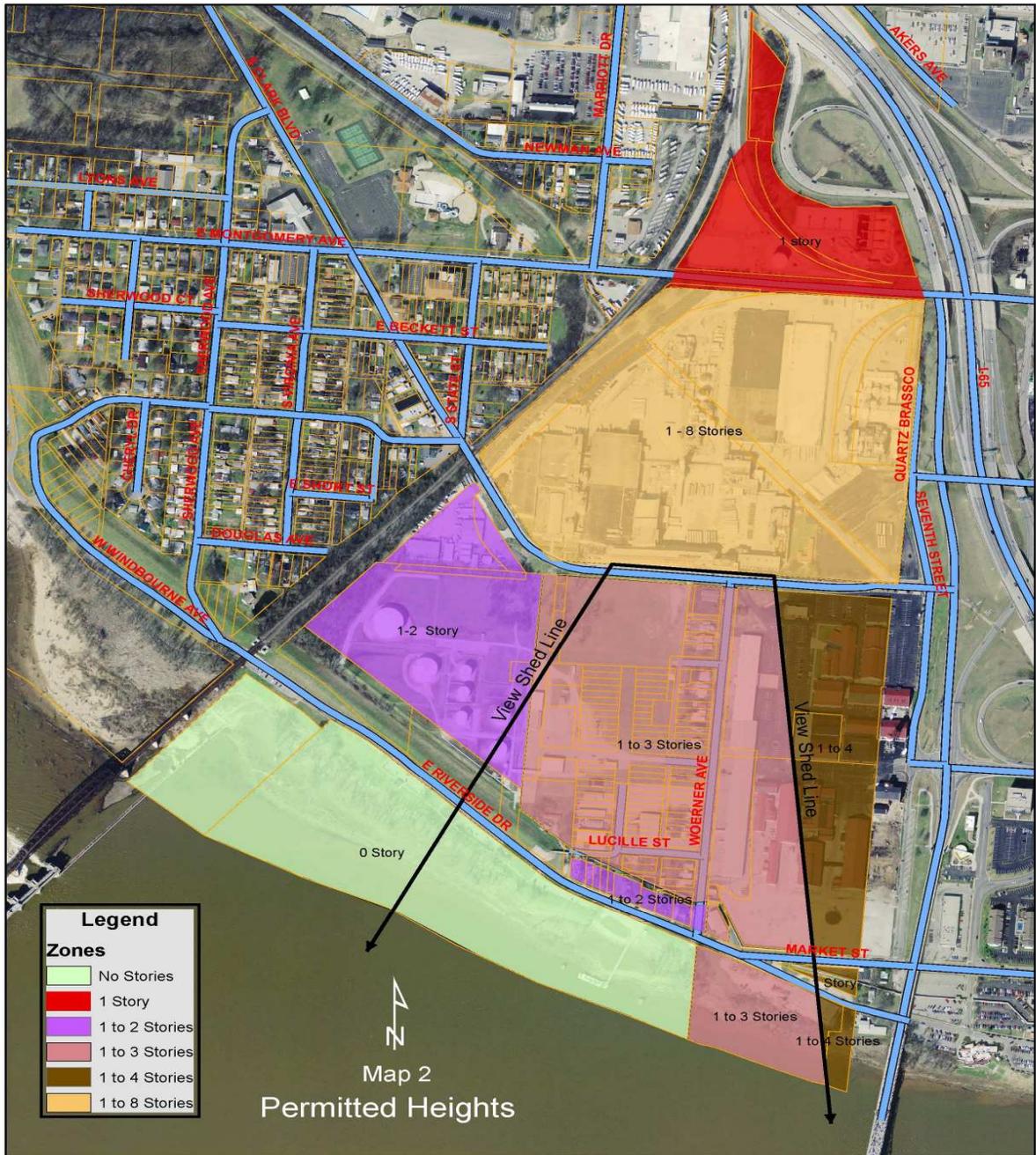
The Plan Commission may require a development agreement or the recording of commitments for any reasonable purpose, including but not limited to, imposing standards for development of property in the CLMU. Such development plan may include, but are not limited to, requirements as to the following:

- A. Total, parcel, tract, lot area.
- B. Uses.
- C. Floor area.
- D. Lot area coverage.
- E. Ratios of floor space to land area.
- F. Area in which structures may be built ("buildable area").

- G. Recreation or Open space.
- H. Front, rear, and side yard setbacks.
- I. Low impact construction methods.
- J. Colors.
- K. Materials.
- L. Building separations.
- M. Storm order management plan.
- N. Height of structures.
- O. Off-street parking and loading space locations.
- P. Phasing of development, if any.
- Q. Outdoor lighting plan.
- R. Signage plans.
- S. Landscaping plan.
- T. Other elements determined by the Plan Commission is necessary to conform to the theme and requirements of this section.
- U. Compliance with all current Federal and State Law.

**Sec. 70-90 Improvement Location Permits**

The Building Commissioner shall not issue an Improvement Location Permit for a CLMU development until the Planning Department releases it for construction.



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**Sec. 75-10 Specific Purpose**

The purpose of this zone is to enhance and protect the health, safety, and welfare of citizens and property owners of the Town of Clarksville. The intent is to guide both new development and redevelopment activities as follows:

- A. Establishment of a redeveloped area of mixed uses that support a range of activities and opportunities focused on the neighborhood and community that surround the corridor.
- B. Assure that new development and redevelopment are compatible
- C. Promote the synergy of the Eastern Boulevard Corridor Zone with the Clarksville Parks and school complex.
- D. Promote appropriate arrangement and uses of land and buildings.
- E. Encourage mixed uses of land and buildings.
- F. Eliminate unsafe buildings and premises.
- G. Support pedestrian oriented and of multiple modes of transportation with buildings.
- H. Construct streetscapes, which are attractive and designed to enhance the livability of the corridor and surrounding area.
- I. It is the town's intent to achieve this purpose by:
  - 1. Provide consistent regulations for private and public properties in the corridor.
  - 2. Encourage additional opportunities for investment and reinvestments.

3. Reuse or redevelopment of land and buildings will minimize the need for new infrastructure.
4. Establish consistent guidelines and review of development and redevelopment plans.
5. Improve the physical relationship, between new buildings, existing buildings, in the EBCZ.
6. Provide ways to reduce dependency on automobiles with other modes of transportation.

**Sec. 75-20 Application Procedure**

A development plan meeting the requirements of this section and a complete application, available at the Plan Commission office, are required to be submitted no less than 21 days prior to the plan commission meeting when it will be considered.

**Sec. 75-30 District Boundaries**

This Eastern Boulevard Corridor zone is hereby established approved and is illustrated on the zoning map.

**Sec. 75-40 Plan Commission Review and Approval**

The Clarksville Plan Commission must review, approve, approve with commitments or conditions, or disapprove a plan for new development or redevelopment in the EBCZ.

**Sec. 75-50 Waiver**

The Plan Commission may, after public hearing, may grant a waiver of the dimensional standards up to 10%. In the case of parking, the number of parking spaces may be waived up to 20%. This reduction may be waived in order to accommodate difficult site conditions including limited access, small lots, infill, or physical obstructions that may include trees and utilities. The need for the waiver shall not be self created or based on greater economic return for the applicant. Any approval to permit such a waiver shall be subject to the following criteria:

- A. A proposed waiver of this regulation of this section shall be granted, if it enhances the overall redevelopment of the adjoining projects, streetscapes and neighborhoods.
- B. Self imposed conditions or the desire, for a greater economic return shall not be the basis or consideration in granting a waiver.
- C. The proposal shall not result in a site development or streets/circulation system that would be impractical or distract from redevelopment of the EBCZ.
- D. The change would not adversely affect emergency vehicle access.
- E. The proposed waiver shall exhibit extraordinary site design characteristics including but not limited to: increases in landscape treatment, tree preservation, and provision for bicycle and pedestrian traffic, and amenities such as benches, trash receptacles, and additional shaded areas.
- F. In granting a waiver, the Plan Commission may impose such conditions or request commitments, that will, in its judgment, secure the purpose of this division.
- G. This division does not affect the right of the applicant to petition the board of zoning appeals for variance from development standards.

**Sec. 75-60 Use Classification**

EBCZ uses shall be in accordance with Table 75-1, Land Use Classification.

**Table 75-1 Land-Use Classification**

Uses Permitted by Right
<p>LBCS - 1130 - <b>Accessory dwelling units</b> - <i>Use this category for an accessory unit, which is structurally separate and distinct from the main structure. An accessory unit is a second dwelling unit (structure-wise) that is added to an existing lot for use as a complete and independent dwelling.</i></p> <p style="text-align: center;"><i>See Division 157 for accessory dwellings requirements and development standards</i></p>
LBCS - 1210 - Retirement housing services
LBCS - 1320 - Rooming and boarding
LBCS - 1230 - Assisted living services
LBCS - 1310 - Bed and breakfast inn
LBCS - 1330 - Hotel, motel, tourist court
<p>LBCS - 2110 - Automobile sale or services establishment -following only permitted</p> <ul style="list-style-type: none"> <li>➤ Automotive washing and polishing</li> <li>➤ Car washes</li> <li>➤ Detailing services (it, cleaning and polishing) automotive</li> <li>➤ Garages, do-it-yourself automotive repair</li> <li>➤ Oil change and lubrication shops, automotive</li> <li>➤ Quick-lube shops</li> <li>➤ Self-service carwash</li> </ul>
<p>LBCS - 2113 - Bicycle, motorcycle, ATV, etc - following only permitted</p> <ul style="list-style-type: none"> <li>➤ Bicycle shops, motorized</li> <li>➤ Moped dealers</li> <li>➤ Motor scooters dealer</li> </ul>
<p>LBCS - 2115 - Part, accessories, or tires -following only permitted, if new</p> <ul style="list-style-type: none"> <li>➤ Automobile parts dealers - new only</li> <li>➤ Parts and accessories dealers, automotive - new only</li> <li>➤ Tire dealers, automotive - new only</li> </ul>
<p>LBCS - 2116 - Gasoline service - following only permitted</p> <ul style="list-style-type: none"> <li>➤ Convenience food with gasoline stations</li> <li>➤ Gasoline stations with convenience stores</li> <li>➤ Gasoline with convenience stores</li> </ul>
<p>LBCS - 2120 - Heavy consumer goods sales or service -following only permitted</p> <ul style="list-style-type: none"> <li>➤ Bicycle repair and maintenance shops without retailing new bicycles</li> <li>➤ Garment alteration and/or repair shops without retailing new garments</li> <li>➤ Key duplicating shops</li> <li>➤ Musical instrument repair shops without retailing new musical instruments</li> <li>➤ Tailor shops, alterations only</li> <li>➤ Watch repair shops without retailing new watches</li> </ul>
LBCS - 2121- Furniture or home furnishings
<p>LBCS - 2125 - Electronics and Appliances - following only permitted</p> <ul style="list-style-type: none"> <li>➤ Cellular telephone stores</li> <li>➤ Telephone stores (including cellular)</li> <li>➤ TV (television) stores</li> <li>➤ Vacuum cleaner stores, household-type</li> </ul>
LBCS - 2131 - Computer and software
LBCS - 2132 - Camera and photographic supplies

**Table 75-1 Land-Use Classification**

**Uses Permitted by Right**

LBCS - 2133 - Clothing, jewelry, luggage, shoes, etc. - following are permitted only

- Handbag stores
- Hat and cap stores
- Hosiery stores
- T-shirt shops, custom printed
- Uniform stores (except athletic)
- Unisex clothing stores
- Watch shops
- Western wear stores
- Wig and hairpiece stores

LBCS - 2134 - Sporting goods, toy and hobby, and musical instruments -following only permitted

- Athletic equipment and supply stores (including uniforms)
- Bicycle (except motorized) shops
- Bowling equipment and supply stores
- Craft supply stores (except needlecraft)
- Diving equipment stores
- Gun shops
- Gunsmith shops retailing new guns
- Hobby shops
- Magic supply stores
- Outdoor sporting equipment stores
- Shoe stores, specialty sports footwear (e.g., bowling, golf, spiked)
- Sporting goods stores
- Sports gear stores (e.g., outdoors, scuba, skiing)
- Uniform stores, athletic

LBCS - 2135 - Books, magazines, music, stationery - following are permitted only

- Book stores
- Card shops greeting
- Christmas stores
- Gift shops
- Greeting card shops
- Magazine stands (i.e. permanent)
- Music stores (e.g., cassette, compact disc, record, tape)
- Music stores (i.e., instrument)
- Novelty shops
- Office supply stores
- Record stores, new
- Religious book stores
- Seasonal and holiday decoration stores
- Sheet music stores
- Stationery stores
- Video Tape stores

LBCS - 2140 - Consumer goods, other- following are permitted only

- Art supply stores
- Calendar shops
- Collector's items shops (e.g., autograph, card, coin or stamp)
- Flag and banner shops

**Table 75-1 Land-Use Classification**

Uses Permitted by Right	
	<ul style="list-style-type: none"> <li>➤ Flower shops, artificial or dried</li> <li>➤ Religious goods (except books) stores</li> <li>➤ Swimming pool supply stores</li> <li>➤ Trophy (including awards and plaques) shops</li> </ul>
LBCS - 2141 - Florist	
LBCS - 2143 - Tobacco or tobacconist establishment	
LBCS - 2144 - Mail order or direct selling establishment - following are permitted only	
	<ul style="list-style-type: none"> <li>➤ Bazaars (i.e., temporary stands)</li> <li>➤ Christmas trees, cut, direct selling</li> <li>➤ Order taking offices of mail-order houses</li> </ul>
LBCS - 2145 - Antique shops, flea, markets, etc. - following are permitted only	
	<ul style="list-style-type: none"> <li>➤ Apparel stores, used clothing</li> <li>➤ Book stores, used</li> <li>➤ Clothing stores, used</li> <li>➤ Consignment shops, used</li> <li>➤ Furniture stores, used</li> </ul>
LBCS - 2151 - Grocery store, supermarket, or bakery - following are permitted only	
	<ul style="list-style-type: none"> <li>➤ Bakery store, retailing only (except immediate consumption)</li> <li>➤ Butcher shops</li> <li>➤ Delicatessens (except grocery store, restaurants)</li> <li>➤ Delicatessens primarily retailing a range of grocery items and meats</li> <li>➤ Fish markets</li> <li>➤ Food (i.e., groceries) store) Big Boxes not permitted</li> <li>➤ Grocery stores</li> <li>➤ Meat markets</li> </ul>
LBCS - 2152 - Convenience store	
LBCS - 2153 - Specialty food store	
LBCS - 2154 - Fruit and vegetable store	
LBCS - 2155 - Beer, Wine shops, packaged	
LBCS - 2210 - Bank, credit union, or savings institution - following are <b>not</b> permitted only	
	<ul style="list-style-type: none"> <li>➤ Branches of foreign banks</li> <li>➤ Branches, Federal Reserve Bank</li> <li>➤ Check clearing activities of the central bank</li> </ul>
LBCS - 2220 - Credit and finance establishment - following are permitted only	
	<ul style="list-style-type: none"> <li>➤ Home equity credit lending</li> <li>➤ Loan companies (i.e., consumer, personal, small, student)</li> <li>➤ Mortgage banking (i.e., nondepository mortgage lending)</li> <li>➤ Mortgage companies</li> <li>➤ National Credit Union Administration (NCUA)</li> <li>➤ Pawnshops</li> <li>➤ Short-term inventory credit lending</li> <li>➤ SLAM (Student Loan Marketing Association)</li> </ul>
LBCS - 2230 - Investment banking, securities, and brokerage - following are permitted only	
	<ul style="list-style-type: none"> <li>➤ Credit card processing services</li> <li>➤ Electronic financial payment services</li> </ul>

**Table 75-1 Land-Use Classification**

<b>Uses Permitted by Right</b>	
➤	Loan servicing
➤	Travelers' check issuance services
LBCS - 2240 - Insurance-related establishment	
LBCS - 2250 - Fund, trust, or other financial establishment	
LBCS - 2300 - Real estate, and rental and leasing	
LBCS - 2310 - Real estate services- following are permitted only	
➤	Appraisal services, real estate
➤	Appraisers' offices, real estate
➤	Listing services, real estate
LBCS - 2321 - Commercial property-related - following are permitted only	
➤	Office building, rental or leasing
➤	Professional office building rental or leasing
LBCS - 2331 - Cars - following are permitted only	
➤	Automobile leasing
➤	Automobile rental
➤	Car leasing
➤	Car rental
➤	Car rental agencies
➤	Passenger car leasing
➤	Passenger car rental
➤	Passenger van leasing
➤	Passenger van rental
➤	Passenger van rental agencies
➤	Sport utility vehicle leasing
➤	Sport utility vehicle rental
LBCS - 2333 - Recreational goods rental - following are permitted only	
➤	Bicycle rental
➤	Exercise equipment rental
LBCS - 2335 - Consumer goods, rental - following are permitted only	
➤	Musical instrument rental
LBCS - 2411- Legal services - following are permitted only	
➤	Attorneys' offices
➤	Attorneys' private practices
➤	Barristers' office
➤	Barristers' private practices
➤	Corporate law offices
➤	Counselors' at law offices
➤	Counselors' at law private practices
➤	Criminal law offices
➤	Lawyers' private practices
➤	Legal aid services
➤	Notary services
➤	Notary publics' private practices
➤	Paralegal services
➤	Real estate law offices
➤	Solicitors' private practices

Table 75-1 Land-Use Classification

Uses Permitted by Right	
➤	Tax law attorneys' private practices
LBCS - 2412 - Accounting, tax, bookkeeping, payroll services - following are permitted only	
➤	Accountants' (except CPAs) private practices
➤	Accountants' (i.e., CPAs) private practices, certified public
➤	Auditing accountants' (i.e., CPAs) private practices
➤	Auditors' (i.e.) CPAs) private practices, accounts
➤	Bookkeepers' private practices
LBCS - 2413 - Architectural, engineering, and related services - following are permitted only	
➤	Architects' (except landscape) offices
➤	Architects' (except landscape) private practices
➤	Architects' offices, landscape
➤	Architects' private practices, landscape
➤	Blueprint drafting services
➤	Building architectural design services
➤	Building inspection bureaus
➤	Drafting services
➤	Engineers' private practices
➤	Landscape architects' private practices
LBCS - 2414 - Graphic, industrial, interior design - following are <b>not</b> permitted only	
➤	Studios, commercial art
➤	Tool industrial design services
LBCS - 2415 - Consulting services (management, environmental, etc.) - following are permitted only	
➤	Business management consulting services
➤	CAD (computer-aided design) systems integration design services
➤	CAE (computer-aided engineering) systems integration design services
➤	CAM (computer-aided manufacturing) systems integration design services
➤	Compensation consulting services
➤	Compensation planning services
➤	Computer disaster recovery services
➤	Computer program or software development, custom
➤	Computer programming services, custom
➤	Computer software analysis and design services, custom
➤	Computer software programming services, custom
➤	Computer software support services, custom
➤	Computer systems facilities (i.e., clients facilities) management and operation services
➤	Computer systems integration analysis and design services
➤	Computer system integration design consulting services
➤	Computer system integrator services
➤	Computer-aided design (CAD) systems integration design services
➤	Computer-aided engineering (CAD) systems integration design services
➤	Computer-aided manufacturing (CAM) systems integration design services
➤	Customer service management consulting services
➤	Facilities (i.e., clients' facilities) management and operation services, computer systems or data processing
➤	Network systems integration design services, computer
➤	Programming services, custom computer
➤	WEB (i.e., internet) page design services, custom
LBCS - 2415 - Advertising, media, and photography services - following are permitted only	

**Table 75-1 Land-Use Classification**

<b>Uses Permitted by Right</b>	
<ul style="list-style-type: none"> <li>➤ Photography services, commercial</li> <li>➤ Photography services, portrait (e.g., still, video)</li> <li>➤ School photography (i.e., portrait photography) services</li> <li>➤ Sign language services</li> <li>➤ Sign lettering and painting services</li> <li>➤ Speech (i.e., language) interpretation services</li> <li>➤ Videotaping services, special events (e.g., birthdays, weddings)</li> <li>➤ Wedding photography services</li> </ul>	
LBCS - 2421 - Office and administrative services - following are permitted only	
<ul style="list-style-type: none"> <li>➤ Motel management services (except complete operation of client's business)</li> </ul>	
LBCS - 2423 - Employment Agency	
LBCS - 2424 - Business support services - following are permitted only	
<ul style="list-style-type: none"> <li>➤ Answering services, telephone</li> <li>➤ Desktop publishing services</li> <li>➤ Document copying services (except combined with printing services)</li> <li>➤ Document duplicating services (except combined with printing services)</li> <li>➤ Floral wire services (i.e. telemarketing service)</li> <li>➤ Photocopying services (except combined with printing services)</li> <li>➤ Telemarketing bureaus</li> <li>➤ Telephone call centers</li> <li>➤ Telephone solicitation services on a contract or fee basis</li> <li>➤ Word processing services</li> </ul>	
LBCS - 2510 - Full-service restaurant	
LBCS - 2420 - Cafeteria or limited services restaurant	
LBCS - 2530 - Snack or nonalcoholic bar	
LBCS - 2600 - Personal services - following are permitted only	
<ul style="list-style-type: none"> <li>➤ Beautician services</li> <li>➤ Beauty and barber shops, combined</li> <li>➤ Beauty parlors</li> <li>➤ Beauty salons</li> <li>➤ Beauty shops</li> <li>➤ Cosmetology salons or shops</li> <li>➤ Dry-cleaning services (except coin-operated)</li> <li>➤ Fortune-telling services</li> <li>➤ Laundry drop-off and pick-up sites</li> <li>➤ Laundry services (except coin-operated, linen supply, uniform supply)</li> <li>➤ Nail salons</li> <li>➤ One-hour photofinishing services</li> <li>➤ Palm reading or palmistry services, including tarot card readers, etc</li> <li>➤ Parking lots, automobile</li> <li>➤ Parking services, valet</li> <li>➤ Pedicure and manicure salons</li> <li>➤ Pedicurist service</li> <li>➤ Photofinishing labs, one-hour</li> <li>➤ Photofinishing services, one-hour</li> <li>➤ Pillow cleaning services</li> </ul>	

**Table 75-1 Land-Use Classification**

<b>Uses Permitted by Right</b>	
<ul style="list-style-type: none"> <li>➤ Psychic services</li> <li>➤ Sun tanning salons</li> <li>➤ Tanning salons</li> <li>➤ Tattoo parlors</li> <li>➤ Unisex hair stylist shops</li> </ul>	
<p>LBCS - 3110 - Food and beverages - following are permitted only</p> <ul style="list-style-type: none"> <li>➤ Bakery products, fresh (i.e., bread, cakes, doughnuts, pastries) made in commercial bakeries</li> <li>➤ Candy stores, chocolate, candy made on premises not for immediate consumption</li> </ul>	
<p>LBCS - 3220 - Paper and printing materials - following are permitted only</p> <ul style="list-style-type: none"> <li>➤ Instant printing (i.e., quick printing)</li> <li>➤ Print shops, lithographic (offset) (except grey goods, manifold business forms, printing books, quick printing)</li> <li>➤ Print shops, quick</li> <li>➤ Print shops, screen</li> <li>➤ Printing manifold business forms</li> </ul>	
<p>LBCS - 4137 - Taxi and limousine service</p> <ul style="list-style-type: none"> <li>➤ These establishments provide passenger transportation by automobile or van, not over regular routes or regular schedules. Taxicab owner/operators, taxicab fleet operators, and taxicab organizations are included. Also included are limousine and luxury sedan establishments, which may provide an array of specialty and luxury passenger transportation services</li> </ul>	
<p>LBCS - 4170 - Postal services</p> <ul style="list-style-type: none"> <li>➤ These establishments operate the national postal service. Establishments that perform one or more postal services, such as sorting, routing, and delivery on a contract basis (except the bulk transportation of mail), are included in this subcategory.</li> </ul>	
<p>LBCS - 4241 - Online information services</p> <ul style="list-style-type: none"> <li>➤ This comprises Internet access providers, Internet service providers, and similar establishments providing direct access through telecommunications networks to computer-held information compiled or published by others.</li> </ul>	
<p>LBCS - 4242 - Libraries and archives</p> <ul style="list-style-type: none"> <li>➤ This consists of establishments providing library or archive services. These establishments are engaged in maintaining collections of documents (e.g., books, journals, newspapers, and music) and facilitating the use of such documents (recorded information regardless of its physical form and characteristics) as are required to meet the informational, research, educational, or recreational needs of their user. These establishments may also acquire, research, store, preserve, and generally make accessible to the public historical documents, photographs, maps, audio material, audiovisual material, and other archival material of historical interest. All or portions of these collections may be accessible electronically.</li> </ul>	
<p>LBCS - 4243 - News syndicate</p> <ul style="list-style-type: none"> <li>➤ This class comprises establishments supplying information, such as news reports, articles, pictures, and features, to the news media.</li> </ul>	
<p>LBCS - 5110 - Theater, dance, or music establishment</p> <ul style="list-style-type: none"> <li>➤ This subcategory comprises establishments producing live presentations by actors and actresses, singers, dancers, musicians, and other performing artists. Establishments include: companies, groups, or theaters that produce theatrical presentations and dance (ballet, musicals, operas, plays, etc.); dinner theaters that produce theatrical productions and provide food and beverage for consumption on the premises; and groups or freelance artists producing live musical entertainment. Theater/dance groups or companies may or may not operate their own theater or other facility for staging their shows. Musical groups and artists may perform in front of a live audience or in a studio, and may or may not operate their own facilities for staging their shows.</li> </ul>	
<p>LBCS - 5120 -Sports team or club</p> <ul style="list-style-type: none"> <li>➤ These establishments are professional or semiprofessional sports teams or clubs participating in live sporting events, such as baseball, basketball, football, hockey, soccer, and jai alai games, before a paying audience. These establishments may or may not operate their own facility for presenting these events.</li> </ul>	

**Table 75-1 Land-Use Classification**

<b>Uses Permitted by Right</b>	
LBCS - 5140 - Promoter of performing arts, sports, and similar events	<ul style="list-style-type: none"> <li>➤ Establishments in this subcategory organize, promote, and manage live performing arts productions, sports events, and similar events, such as state fairs, county fairs, agricultural fairs, concerts, and festivals. They may operate their own facilities, such as arenas, stadiums, and theaters, or rent from others; or they may operate these facilities for rent to other promoters. Theatrical (except motion picture) booking agencies are included in this subcategory.</li> </ul>
LBCS - 5150 - Agent for management services	<ul style="list-style-type: none"> <li>➤ Agents and managers representing and managing creative and performing artists, sports figures, entertainers, and other public figures. The representation and management includes activities, such as representing clients in contract negotiations; managing or organizing client's financial affairs; and promoting the careers of their clients.</li> </ul>
LBCS - 5160 - Independent artist, writer, or performer	<ul style="list-style-type: none"> <li>➤ This industry comprises independent (i.e., freelance) individuals primarily engaged in performing in artistic productions, in creating artistic and cultural works or productions, or in providing technical expertise necessary for these productions. This industry also includes athletes and other celebrities exclusively engaged in endorsing products and making speeches or public appearances for which they receive a fee.</li> </ul>
LBCS - 5210 - Museum	<ul style="list-style-type: none"> <li>➤ These establishments preserve and exhibit objects of historical, cultural, or educational value.</li> </ul>
LBCS - 5220 - Historical or archeological institution	<ul style="list-style-type: none"> <li>➤ These establishments preserve and exhibit sites, buildings, forts, or communities that describe events or persons of particular historical interest. Archeological sites, battlefields, historical ships, and pioneer villages are included in this subcategory.</li> </ul>
LBCS - 5330 - Casino or gambling establishment	<ul style="list-style-type: none"> <li>➤ These comprise establishments (except casino hotels) that operate gambling facilities, such as casinos, bingo halls, and video gaming terminals, or that provide gambling services, such as lotteries and off-track betting. These establishments may provide food and beverage services. Included in this subcategory are floating casinos (i.e., gambling cruises, and riverboat casinos).</li> </ul>
LBCS - 5370 - Fitness, recreational sports, gym, or athletic club,	<ul style="list-style-type: none"> <li>➤ These establishments operate fitness and recreational sports facilities, or, provide services for fitness or recreational sports teams, clubs, or individual activities. The facilities-operating establishments to be classified here include: fitness clubs, gyms, archery and shooting ranges, horseback riding establishments, recreational ball parks and courts, and more. Sporting establishments that operate certain types of facilities are classified in other categories. For example, a yacht club operating a marina or docking facility is classified elsewhere (but a yacht club which does not operate such a facility, is classified here). For sporting establishments that operate facilities, first check whether a unique function code applies; if not, use this classification.</li> </ul>
LBCS - 5380 - Bowling, billiards, pool, etc.	<ul style="list-style-type: none"> <li>➤ This subcategory comprises establishments operating bowling billiards, or pool centers. These establishments often provide food and beverage services.</li> </ul>
LBCS - 6120 - Grade schools	<ul style="list-style-type: none"> <li>➤ This category comprises all public, private, and specialty schools between the preschool and university level. The individual classifications are based on traditional age and educational level distinctions. Includes the following:                             <ul style="list-style-type: none"> <li>➤ 6121 Elementary</li> <li>➤ 6122 Middle</li> <li>➤ 6123 Senior</li> <li>➤ 6124 Continuance</li> <li>➤ 6125 Alternate education services                                     <ul style="list-style-type: none"> <li>❖ <i>Use this classification for all schools below the university level offering specialized services, such as for the physically or mentally disabled.</i></li> </ul> </li> </ul> </li> </ul>
LBCS - 6130 -Colleges and Universities	<ul style="list-style-type: none"> <li>➤ These comprise junior colleges, colleges, universities, and professional schools. These establishments furnish</li> </ul>

**Table 75-1 Land-Use Classification**

<b>Uses Permitted by Right</b>	
	academic or technical courses and grant degrees, certificates, or diplomas at the associate, baccalaureate, or graduate levels. The requirement for admission is at least a high school diploma or equivalent general academic training.
LBCS - 6141 - Beauty schools	<ul style="list-style-type: none"> <li>➤ These establishments primarily train in barbering, hair styling, or the cosmetic arts, such as makeup or skin care. These schools provide job-specific certification.</li> </ul>
LBCS - 6142 - Business management	<ul style="list-style-type: none"> <li>➤ These establishments offer courses in office procedures, secretarial skills, stenographic, and basic office skills. In addition, these establishments may offer such classes as office machine operation, reception, and communications, designed for individuals pursuing a clerical or secretarial career.</li> </ul>
LBCS - 6143 - Computer training	<ul style="list-style-type: none"> <li>➤ These establishments conduct computer training (except computer repair), in computer programming, software packages, computerized business systems, computer electronics technology, computer operations, and local area network management. Instruction may be provided at the establishment's facilities or at an off-site location.</li> </ul>
LBCS - 6147 - Sports and recreation education	<ul style="list-style-type: none"> <li>➤ Sports and recreational education establishments, such as camps and schools, offer instruction in athletic activities to groups of individuals. Overnight and day sports camps are included in this class. However, if the camp primarily involves camping or outdoor type activities other than instruction, use the camping category under recreation and amusement.</li> </ul>
	<ul style="list-style-type: none"> <li>➤ LBCS - 6430 - Emergency response</li> <li>➤ Use this classification for establishments providing ground or air transportation for medical relief purposes. These services are often provided during a medical emergency but are not restricted to emergencies. The vehicles are equipped with lifesaving equipment operated by medically trained personnel.</li> </ul>
LBCS - 6511 - Clinics	<ul style="list-style-type: none"> <li>➤ These establishments include physician offices, dentists, chiropractors, optometrists, etc.</li> </ul>
LBCS - 6512 - Family planning and outpatient care centers	<ul style="list-style-type: none"> <li>➤ Family planning establishments provide outpatient family planning services, such as contraceptive services, genetic and prenatal counseling, voluntary sterilization, and other pregnancy services. Outpatient care centers or clinics have several practitioners with different specializations practicing within the same establishment. Many such centers also function as HMO medical centers and focus on primary health care. Some HMO centers also have functions related to insurance underwriting.</li> </ul>
LBCS - 6513 - Medical and diagnostic laboratories	<ul style="list-style-type: none"> <li>➤ These establishments are laboratories that provide analytic or diagnostic services, and other services, such as medical imaging, and forensics.</li> </ul>
LBCS - 6514 - Blood and organ banks	<ul style="list-style-type: none"> <li>➤ These establishments collect, store, or distribute blood and organs.</li> </ul>
LBCS - 6520 - Nursing, supervision, and other rehabilitative services	<ul style="list-style-type: none"> <li>➤ Establishments in this subcategory provide inpatient nursing and rehabilitative services and can accommodate patients for extended care. These establishments have licensed health care staff serving patients and other support staff for continuous personal care services. Convalescent homes, convalescent hospitals, inpatient care hospices, nursing homes, and rest homes with nursing care are a few examples of services these establishments provide. This category also includes mental retardation services (not licensed hospital care) to people with mental illness, substance abuse problems, psychiatric convalescent needs, etc. The focus of these services may include health care, but the primary purpose is protective supervision and counseling. Other terms used to describe these services are: alcoholism or drug addiction rehabilitation, mental health halfway houses, group homes for the emotionally disturbed, and psychiatric convalescent homes. Other rehabilitation services establishments in this category provide include boot or disciplinary camps (except correctional), housing services for hearing or visually impaired, disabled, etc.</li> </ul>
LBCS - 6562 - Child day care	<ul style="list-style-type: none"> <li>➤ Child day care establishments primarily care for infants and preschool children and often offer pre-</li> </ul>

<b>Table 75-1 Land-Use Classification</b>	
<b>Uses Permitted by Right</b>	
	kindergarten education programs. Some provide care services for older children.
LBCS - 6566 - Services for elderly and disabled	<ul style="list-style-type: none"> <li>➤ These establishments serve the elderly and persons with disabilities in a variety of ways (not at their homes). Services typically include group support, companionship, day care, homemaker services, etc. This class does not include housing for the elderly.</li> </ul>
LBCS - 6820 - Business associations and professional membership organizations	<ul style="list-style-type: none"> <li>➤ These establishments promote the business interests of their members, or of their profession as a whole. They may conduct research on new products and services; develop market statistics; sponsor quality and certification standards; lobby public officials; or publish newsletters, books, or periodicals for distribution to their members.</li> </ul>
LBCS - 6830 - Civic, social, and fraternal organizations	<ul style="list-style-type: none"> <li>➤ This category comprises establishments that promote the interests of their members, or, that promote a particular cause (except labor, political, or professional organizations). These establishments may provide grant making foundations or charitable trusts, raise funds for social welfare activities, such as health, educational, scientific, and cultural activities. They may solicit contributions and offer memberships. Establishments in this category may operate bars and restaurants for their members.</li> </ul>
LBCS - 7120 - Land development and subdivision	<ul style="list-style-type: none"> <li>➤ Establishments in this subcategory subdivide real property into lots and develop building lots for sale.</li> </ul>
LBCS - 7330 - Electrical contractor	<ul style="list-style-type: none"> <li>➤ These establishments perform on-site electrical work, equipment service, and installation; they may sell electrical equipment along with installation.</li> </ul>
LBCS - 7340 - Glass and glazing contractor	<ul style="list-style-type: none"> <li>➤ These establishments install (i.e., by glazing) and tint glass. However, automotive glass establishments are classified in retail sales and services under "automotive sales and service establishments".</li> </ul>
LBCS - 7350 - Masonry and drywall contractors	<ul style="list-style-type: none"> <li>➤ These establishments provide masonry, stone setting, drywall, plaster, and other stone and building insulation work. Activities include: block and stone foundation construction; brick and glass block laying; exterior marble, granite and slate work; tuck pointing; acoustical paneling construction; plain and ornamental plaster application; and the installation of lathing to receive plaster.</li> </ul>
LBCS - 7360 - Painting and wall covering	<ul style="list-style-type: none"> <li>➤ These establishments provide exterior painting and interior wall covering. Activities range from bridge, ship, and traffic lane painting to paint and wall covering removal.</li> </ul>
LBCS - 7370 - Plumbing, heating, and air-conditioning	<ul style="list-style-type: none"> <li>➤ Establishments in this subcategory install or service plumbing, heating, and air-conditioning equipment. These establishments may sell equipment along with installation. Activities range from on-site duct fabrication and installation to installation of refrigeration equipment, installation of sprinkler systems, and installation of environmental controls.</li> </ul>
<p><b>Approved as a Special Exception by the Board of Zoning Appeals</b>                  See <i>Division 225: Special Exception</i></p>	

**Sec. 75-70 Temporary Uses**

The following uses are eligible for a temporary use permit, provided they meet the requirements of this division and division 200 for signs:

- A. Outdoor sales, including seasonal sales.
- B. Parking lot sales, sidewalk sales (private sidewalks only), clearance sales, or other temporary sales which, in the opinion of the Technical Review Committee, are similar to uses listed in this section and approved by the Technical Review Committee with this division.
- C. Grand opening and special events.

- D. Group activities including carnivals, fairs, rodeos, sport events, revivals, concerts, and shows.
- E. Stands for the sale of agricultural products, including flowers.
- F. Construction yards, offices or trailers.
- G. Other temporary uses which, in the opinion of the Technical Review Committee, are similar to the uses listed in this section.

**Sec. 75-80 Temporary Use Requirements**

Each temporary use or event shall:

- A. Be described in an application with detailed drawings submitted to the Technical Review Committee.
- B. The use or event and all its components must be at least 25 feet from any publicly maintained street, or sidewalk, and shall not impede vision clearance at any driveway or corner.

**Table 75-2 - TIA Thresholds for Eastern Boulevard Corridor Zone**

Land Use Type	Threshold Value
Residential	150 dwelling units
Office	30,000 square feet
Retail & service	16,000 square feet
Drive-thru-lane	Any proposed new or reconfigured drive-thru
Big box	16,000 square feet
Lodging	20 rooms
Medical	30,000 square feet
Educational	16,000 square feet or 100 students
Entertainment, Assembly, and Spectator Sports	50 seats
Housing, including Assisted Living	30 units
Fast Food Restaurant (GFA)	2,500 square feet
Convenience Store with Gas Pumps (GFA)	1,300 square feet or five pumps
Bank with Drive-thru	4,000 square fee
Lodging	50 rooms
Industrial / Manufacturing	115,000 square feet or 100 or more peak hour trips

- C. The application shall be reviewed and approved by the Technical Review Committee.
- D. After approval or approved with conditions by the Technical Review Committee, a permit shall be issued prior to commencement of the use or event. This permit shall be, in addition to all other licenses, permits or approvals otherwise required by any governmental entity.
- E. The number of additional parking spaces required for the temporary activity shall be determined by the zoning ordinance and shown on the drawing. Required parking spaces for the permanent use shall not be used to fulfill the additional parking requirements.
- F. All unimproved parking areas and main walk areas shall be kept in a manner that is safe and prevents dust.
- G. Normal clear paths for handicap accessibility shall not be obstructed.
- H. All sites shall be completely cleaned of debris, equipment, and temporary structures including, but not limited to: trash receptacles, signs, stands, poles, electrical wiring and any other fixtures and appurtenances or equipment connected therewith, within one (1) days after the termination of the temporary use or event..

- A. The town may require security in the form of a bond, letter-of-credit, or cash deposit in an amount satisfactory to the town may be required to assure adequate clean-up of the premises, activities that occur on vacant, or undeveloped lots, and/or involving temporary structures.
- B. Sanitary facilities, either portable, or with written permission of the owner, use of sanitation facilities at the existing building on the site, shall be made available within a reasonable distance on site at all sales persons, employees, attendants, and participants of activity during its hours of operation.
- C. No area of public right of way may be used without first obtaining approval from the town council.

- D. Written proof of ownership or a signed letter from either the property owner or their authorized representative, of the property on which the activity is to take place shall be submitted with the application. If the owner or applicant is a business, the letter shall be on the letterhead of the business.

**Sec. 75-90 Pre-Development Plan Meeting**

Prior to preparing a development plan the applicant is encouraged to have a pre-development plan meeting with the Technical Review Committee.

The purpose of the pre-development meeting is to advise the applicant of the review procedure and requirements and to discuss any initial concerns. The pre-development plan meeting will determine if the proposed development will be required to adhere to the minor or major development plan requirements. The possible need for a Traffic Impact Analysis [TIA] will be discussed if the development meets the thresholds shown in Table 75-2..

**Sec. 75-100 Pedestrian Access**

Walkways shall be located and aligned to directly and continuously connect areas of pedestrian origin and destination, and not be located and aligned solely based on the outline of a parking lot configuration that does not provide such direct pedestrian access.

Walkways shall be grade separated from parking lots, with a paved surface not less than five (5) feet in width.

For safety, methods shall be used to separate pedestrians from vehicles and bicycles. Where complete separation is not possible, potential hazards shall be minimized by the use of such techniques as:

- A. Special surface materials.
- B. Grade separations.
- C. Physical pavement markings.
- D. Texture surfaces.
- E. Signs.
- F. Striping.
- G. Bollards.
- H. Median refuge areas.
- I. Traffic calming features.
- J. Landscaping.
- K. Lighting.
- L. Other means approved by the Plan Commission as recommended by the Technical Review Committee.

**Sec. 75-110 Site Amenities and Aesthetics**

Site amenities shall be provided to assure an aesthetically pleasing development. The proper selection of the site and pedestrian amenities are important factors in the planning and design of development in order to add a sense of place, be aesthetically pleasing, increase real estate value, interest, character, and improve the functional use of the site and Eastern Boulevard corridor.

Site and pedestrian amenities shall be designed as integral parts of the entire development and the site's landscape and design concept. The highest quality materials shall be used and shall include at least three of the following features:

- A. Mounds and berms.
- B. Use of aesthetically pleasing drainage ways and water retention basins.

- C. Swales used as a landscape element.
- D. Water features such as fountains, pools, and ponds.
- E. Walls and terraces.
- F. Meandering walks.
- G. Patios.
- H. Street furniture, including lighting, shading elements, and similar pedestrian amenities.
- I. Boulders, brick or stone pavers.
- J. Arbors and trellises.
- K. Landscape clusters and features.
- L. Site sculptures.

**Sec. 75-120 Signs**

Signs shall be designed to be an integral part of the overall development including colors.

- A. Signs that appear to have movement or appear to change caused by any method other than physically removing and replacing the sign or any of its components is prohibited.
- B. Any sign prohibited by the zoning ordinance is prohibited in this zone.
- C. Wall signs shall not exceed 10% of the façade area on which it is located.
- D. Signs shall not obscure vision clearance at driveways or corners or otherwise create a hazard to vehicles or pedestrians.
- E. Human signs, balloon signs, dynamic, and mobile signs are prohibited unless approved by the town council.
- F. Banners, other than civic banners attached to street light fixtures are prohibited.
- G. Recommended sign structures are as shown in the design guidelines, in Division 200.

**Sec. 75-130 Parking**

- A. The number of parking spaces required by the zoning ordinance may be reduced by 50%, if approved by the Plan Commission as part of a development plan.
- B. A 4 ½ wide landscaped island shall be installed in any parking lane exceeding 10 spaces.
- C. When bicycle rack parking is provided, it shall be within 50 feet of a main entrance to the principal use. Directional signs shall identify locations of bicycle parking.

**Sec. 75-140 Lighting**

Lighting shall meet the requirements of the Clarksville lighting ordinance and this section. In case of conflict, the stricter of the two ordinances shall apply. Street lighting shall be provided as part of all developments on both sides of the street when possible, and spaced no less than 100 ft. apart, and a fixture that is standard for the utility company serving the area, unless otherwise approved by the Town Council. Lighting shall meet the following:

- A. Exterior lighting of the building or site shall be designed so that the light is directed on the site and the light source is shielded from direct offsite viewing. For any use abutting single-family, residential uses, illumination levels shall not exceed 0.5 ft. candles at the property line.
- B. Exterior lighting shall be architecturally integrated with the building style, material, and color.
- C. Rooftop lighting is prohibited.
- D. All exterior architectural features, display, and decorative lighting shall be generated from concealed low level fixtures and shown on the lighting plan.

- E. The maximum height of light standards in parking areas shall not exceed the building height, or 25 ft., whichever is less. When light standards abut or fall within 90 ft. of single-family residential uses or districts, their height shall not exceed 15 ft.

**Sec. 75-150 Noise**

Noise levels as shown in Table 75-3 shall be as follows: "daytime" for non-stationary sources means six (6) a.m. to eleven (11) p.m. and "night time" for non-stationary sources shall mean eleven (11) p.m. to six (6) a.m.; "daytime" for fixed sources shall mean seven (7) a.m. to nine (9) p.m., and "night time" for fixed sources shall mean nine (9) p.m. to seven (7) a.m. No public address or paging systems shall be permitted.

**Sec. 75-160 Privacy Considerations**

Elements of the development plan shall be arranged to maximize the opportunity for privacy by any residents of the project and minimize infringement on the privacy of adjoining land uses. The development plan shall create opportunities for interactions among neighbors without sacrificing privacy or security.

**A. Building and Project Compatibility**

The purpose of building and project compatibility is to ensure that the physical and operational characteristics of proposed buildings and uses in a development are compatible when considered within the context of the surrounding area.

**Table 75-3 - Permitted Noise Levels in Decibels**

Zones	Time of Day	
	Daytime	Night time
Residential	72	62
Business	78	70

**B. Compatible Design of Building**

Design shall be compatible and shall use similar proportions and building materials, and outdoor spaces, similar relationships to the street, similar window and door patterns, and use as existing buildings.

**C. Building Appearance and Architectural Character**

New and redevelopment in or adjacent to existing developed areas shall be compatible with the established appearance by using a design that is complementary. Compatibility shall be achieved through repetition of roof lines, type and use of materials, and building articulations. However, monotony of structures shall be avoided, and the proposed development or redevelopment shall meet the requirements of this section.

**D. Windows**

1. Mirror glass with a reflectivity or opacity of greater than sixty (60) percent is prohibited.
2. Solar glass is prohibited.
3. Glass shall not be of a UV or tint to preclude visibility by day or night. Tinting of windows shall be in compliance with the color scheme as stated herein.
4. Windows shall be of a non-mirrored finish.
5. Windows shall be individually defined with detail elements such as frames, sills and lintels, and placed, to visually establish and define buildings and multiple store, or shop within a single building and establish human scale and proportion.

**E. Building Size, Height, Bulk, Mass, Scale**

Buildings shall either be similar in size and height, or, if larger, be articulated and subdivided into massing that is proportional to the mass and scale of other structures on the same block, or if no buildings exist thereon, then on adjoining blocks.

In the case of development plans in areas eligible for the national registry as a historic district, new buildings shall reflect the historic character of the neighborhood through repetition of rooflines, patterns of the door and window placement, and the use of characteristic entry features.

**F. Building Orientation**

To the maximum extent feasible, primary facades and entries shall face the adjacent street. A main entrance shall face a connecting walkway with direct pedestrian connection to the street without requiring all pedestrians to walk through parking, spaces, and parking lots or cross driveways.

Fixed or retractable awnings are permitted if they complement of buildings architectural style, colors, and detail; do not conceal architectural features (such as cornices, columns, pilasters, or decorative details); do not appear façade composition; and are designed as an integral part of the façade. Metal or aluminum awnings are prohibited.

**G. Pedestrian Scale**

Pedestrian scale detailing shall be incorporated into the front elevation of the building at the ground level. Because the buildings are viewed very close up, all buildings shall exhibit façade and articulated detail that is scaled to the pedestrian.

**H. Building Materials**

To assure quality materials and aesthetic appearance the following shall be used.

1. At least 70% of the exterior building materials shall be brick, or stone. Subordinate materials, up to 30%, may include wood framing; permanently stained split faced textured block, and exterior insulation finish systems [EIFS]. Other materials may be approved by the plan commission, if recommended by the Technical Review Committee.
2. Exterior materials shall not include smooth faced concrete block, painted or stained concrete block or prefabricated steel panels.
3. In the case of development within or adjacent to an existing development, materials shall have color shades and textures similar to those existing development and in the immediate area of the proposed development. However, predominate materials shall be brick or stone.
4. New developments that are not adjacent to or within an existing development shall establish overall integrated design and materials.
5. Facades and exterior building walls exceeding 25 feet shall incorporate architectural articulations, wall plane projections, or recesses having a depth of at least 3% of the length of the exterior façade or wall.
6. Street level facades fronting on a street shall have display windows, intrigue areas, awnings or other such features along no less than 25% of the horizontal length of the ground floor façade.
7. Building materials shall not create glare. If highly reflective building materials are proposed, such as aluminum, unpainted metal and reflective glass, the potential for glare from such materials will be evaluated to determine whether or not the glare would create a significant adverse impact on the adjacent property owners, neighborhood, or community in terms of pedestrian and vehicular safety, outdoor activities, and enjoyment of views. If so, such materials shall not be permitted.

**I. Sign and Building Color**

Color shades and tones shall be used to facilitate appearance, aesthetics and contribute to the blending of the development into the neighborhood and unifying the development.

A new development of a single structure or multiple structures may establish its own integrated color scheme utilizing the following ranges shown in Table 75-4:

Table 75-4 - Permitted Colors					
Colors					
1.	#465pc	C=20	M=32	Y=58	K=0
2.	#4645pc	C=0	M=37	Y=68	K=28

Table 75-4 - Permitted Colors					
3.	#7407pc	C=0	M=22	Y=85	K=11
4	#478pc	C=40	M=86	Y=100	K=30
5.	#463pc	C=30	M=56	Y=100	K=37
Contrasting Colors					
1.	No color/pure white				
2.	K=100 process black				

Colors shall reflect the character of the EBCZ. Neutral and natural colors should comprise 90% of the façade with secondary contrasting accent colors making up the remaining 10%. Primary, bright, bold, or excessively brilliant colors should be avoided unless used sparing as part of the secondary contrasting colors.

**Sec. 75-170 Prototype Buildings**

Standardized structures, recognized as a prototype of a chain of establishments, shall be customized, as necessary, to express and enhance the distinctive character of the EBCZ. Forms and finish materials of buildings, signs, canopies, refuse enclosures, and accessory structures, shall be compatible with the style and character of the EBCZ.

**Sec. 75-180 Architectural Articulations**

Building facades shall incorporate at least four of the following:

- A. Off sets.
- B. Material change.
- C. Texture change.
- D. Architectural change, e.g. columns, canopies, arbors, trellis.
- E. Structural elements such as projecting ribs or offset element.
- F. Other elements approved by the Plan Commission on the recommendation of the Technical Review Committee.

**Sec. 75-190 Roof Top Equipment**

Rooftop mechanical and telecommunications equipment shall be fully concealed or screened on all sides using parapets, penthouse screens, or other similar methods integrated into the overall building, as shown in *Division 210 - Illustration*.

**Sec. 75-200 Land Use Transition**

When land uses with significantly different visual character are proposed adjacent to each other, and where gradual transitions are not possible or not in the best interest of the community, the development plan shall, to the maximum extent feasible, achieve compatibility through compliance with the scale, form, materials, colors and operational standards including limits on hours of operation, lighting, placement of noise-generating activities and similar restrictions.

**Sec. 75-210 Outdoor Storage Areas**

No areas for outdoor storage, including trash collection or compaction, loading or other such uses shall be located within 20 feet of any public street, public sidewalk, or internal pedestrian way.

- A. All outdoor and refuse storage including dumpsters for disposal of refuse shall meet the requirements of Clarksville’s Commercial Refuse Ordinance.
- B. Be architecturally compatible and integrated into the total development.
- C. Accommodate waste and recycled materials, and if applicable grease and other cooking refuse.
- D. Be fully enclosed except for doors or gates which shall be kept closed at all times unless loading or unloading.
- E. Be located on the development plan and approved with the development plan.

**Sec. 75-220 Mechanical Equipment**

Loading docks, truck parking, utility meters, HVAC and other mechanical equipment, trash collection, trash compaction and other service functions shall be incorporated and integrated into the overall design of the development so that the appearance is integrated and continuous and uninterrupted by ladders, towers, fences and equipment, and no attention is attracted to the functions by use of screening materials that are different from or inferior to the principal materials of the building and landscape.

**Sec. 75-230 Seasonal Sales Area**

Non-enclosed areas for the storage and sale of seasonal inventory shall be defined and screened with walls or fences approved as part of an approved temporary event plan.

Permanent, seasonal sales areas shall comply with the following: materials, colors, and design of screening walls or fences shall conform to those used as predominant materials and colors on the principal building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the principal building.

**Sec. 75-240 Operational/Physical Compatibility Standards**

Upon the approval of a development application, the following conditions may be imposed to ensure that new development will be compatible with existing neighborhoods and uses, including, but not limited to, restrictions on:

- A. Hours of operation and deliveries.
- B. Location on a site of activities that generate potential adverse impacts on adjacent uses such as noise and glare.
- C. Arrangement of buildings.
- D. Placement of trash receptacles.
- E. Location of loading and delivery zones.
- F. Light intensity, shielding, and hours of full illumination.
- G. Location and placement of pedestrian amenity areas.
- H. Placement and illumination of outdoor vending machines and areas.

**Sec. 75-250 Commitments**

Commitments can either restrict or mandate actions to be taken regarding an Eastern Boulevard corridor development.

Commitments may be required by the Plan Commission as an ingredient for stability and longevity of the Eastern Boulevard redevelopment, and may set forth in detail provisions for the ownership and maintenance of facilities held in common so as to reasonably insure their continuity and conservation. Said provisions of the commitments may include specific remedies in the event facilities held in common are permitted to deteriorate or are not maintained in a commitments condition consistent with the best interests of the entire Town, and in such event the Town shall take those remedial steps provided for in such provision.

The Plan Commission may require the recording of commitments for any reasonable public or semi-public purpose, including, but not limited to, the allocation of land by the petitioner for public thoroughfares, parks, schools, recreational facilities, and other public and semi-public purposes wherever necessary in conformity with the comprehensive plan.

Such commitments shall provide that if a governmental unit or agency thereof does not proceed with acquisition of the allocated land within a specified period of time, the commitments shall automatically terminate. If such termination occurs, the petitioner shall then submit for approval by the Plan Commission a modified, detailed site plan for such land consistent with the approved development plan. Such modified detailed site plans, when approved, shall be treated in the same manner as approved detailed site plans.

Commitments shall be binding on the owner of the parcel, subsequent owners of the parcel and any person who acquires an interest in the parcel.

Commitments may be enforced by the plan commission, Town Council or owners of property adjoining the Eastern Boulevard Corridor district to a depth of two ownerships, but not exceeding six hundred sixty [660] feet from the perimeter of the Eastern Boulevard Corridor Zone District. The identity of the owners shall be determined from the records in the office of the Clark County Auditor office.

The Plan Commission has the perpetual right to modify or terminate commitments by decision of the Plan Commission at a public hearing so long as the Eastern Boulevard Corridor district is in existence. Commitments shall automatically terminate upon a rezoning of the property to a different zoning classification.

The Plan Commission may require the recording of commitments for any other reasonable purpose, including but not limited to, imposing standards for development of property in the Eastern Boulevard corridor. Such development plan may include, but are not limited to, requirements as to the following:

- A. Total, parcel, tract, lot area.
- B. Uses.
- C. Floor area.
- D. Signs.
- E. Lot area coverage.
- F. Ratios of floor space to land area.
- G. Area in which structures may be built (“Buildable area”).
- H. Recreation or Open space.
- I. Front, rear, and side yard setbacks.
- J. Building separations.
- K. Storm water management plan.
- L. Height of structures.
- M. Off-street parking and loading space locations.
- N. Phasing of development, if any.
- O. Outdoor lighting plan.
- P. Signage plan including colored rendering showing dimensions, location and percent of coverage on each facade.
- Q. Landscaping plan.
- R. Maintenance plans.
- S. Pedestrian amenity areas.

- T. Others requirements that the Plan Commission may require to meet the purpose of this division

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**Sec. 80-10 Specific Purpose**

The Veteran’s Parkway Corridor Zone (VPCZ) is intended to provide more development flexibility than is possible through the customary application of the Clarksville Zoning Ordinance or the Clarksville Subdivision Regulations. The VPCZ Ordinance recognizes the rapid changes in design and technology applicable to the building industry, and it is the intent of this ordinance to meet these changes in a manner that will be consistent with the best interests of the Town.

The purpose of the VPCZ is to achieve an aesthetically pleasing regional shopping area. While also producing a wider range of choices in satisfying the changing needs of the Town, it is the purpose and intent of this ordinance to accomplish the following:

- A. Establish standards to ensure that large retail building development is compatible with the surrounding area and contributes to the unique community character of the Veterans Parkway Corridor and the Town of Clarksville.
- B. Provide for the designation of parcels within the jurisdiction of the Clarksville Plan Commission particularly those that are part of the Veteran’s Parkway Corridor Zone (VPCZ).
- C. Specify uses or a range of uses permitted in the VPCZ.
- D. Specify development standards and requirements in the VPCZ.
- E. Specify plan documentation and supporting information required for consideration of development in the VPCZ.
- F. Specify any limitations applicable to the VPCZ.
- G. Establish procedures to govern and administer the VPCZ, including regulations, review considerations for approval and modifications to development in the VPCZ.
- H. Provide a flexible alternative in accomplishing the purposes of the Clarksville Zoning Ordinance and Clarksville Subdivision Regulations.

**Sec. 80-20 Use Classification**

VPCZ uses shall be in accordance with Table 80-1, Land Use Classification.

Table 80-1 - Land-Use Classification	
Uses Permitted by Right	
LBCS - 1122 - Zero lot line single family attached - Traditional Condo	
LBCS - 2120 - Heavy consumer goods sales or services - only the following are permitted	<ul style="list-style-type: none"> <li>➤ Tailor shops, alterations only</li> <li>➤ Tuning and repair of musical instruments</li> <li>➤ Watch repair shops without retailing new watches</li> </ul>
LBCS - 2121 - Furniture or home furnishings - following are permitted only, if provided located within a Big Box	<ul style="list-style-type: none"> <li>➤ Bath shops</li> <li>➤ Chinaware stores</li> <li>➤ Custom picture frame shops</li> <li>➤ Furniture and appliance stores (i.e., primarily retailing furniture)</li> <li>➤ Furniture stores (e.g., household, office, outdoor)</li> <li>➤ Glassware stores</li> </ul>

**Table 80-1 - Land-Use Classification**

Uses Permitted by Right
<ul style="list-style-type: none"> <li>➤ Home furnishings stores</li> <li>➤ Housewares stores</li> <li>➤ Kitchenware stores</li> <li>➤ Lamp shops, electric</li> <li>➤ Linen stores</li> <li>➤ Picture frame shops, custom</li> <li>➤ Window treatment stores</li> </ul>
LBCS - 2122 - Hardware, home centers, etc - permitted only, if located within a Big Box
LBCS - 2123 - Lawn and garden supplies - permitted only , if located within a Big Box
LBCS - 2124 - Department store, warehouse club or superstore - the following are permitted only within a big box <ul style="list-style-type: none"> <li>➤ Department stores</li> <li>➤ Discount department stores</li> <li>➤ Superstores (i.e., food and general merchandise)</li> <li>➤ Variety stores</li> <li>➤ Warehouse clubs (i.e., food and general merchandise)</li> </ul>
LBCS - 2125 - Electronics and appliances - only the following are permitted <ul style="list-style-type: none"> <li>➤ Appliance stores, household-type</li> <li>➤ Audio equipment stores (except automotive)</li> <li>➤ Cellular telephone stores</li> <li>➤ Consumer-type electronic stores (e.g., radio, television, video, camera)</li> <li>➤ Household-type appliance stores</li> <li>➤ Radio and television stores</li> <li>➤ Sewing machine stores, household-type</li> <li>➤ Stereo stores (except automotive)</li> <li>➤ Telephone stores (including cellular)</li> <li>➤ Television and radio stores</li> <li>➤ TV (television) stores</li> <li>➤ Vacuum cleaner stores, household-type</li> </ul>
LBCS - 2126 - Lumber yard and building materials are permitted, only if located within a Big Box
LBCS - 2126 - Heating and plumbing equipment is permitted, only if located within a Big Box
LBCS - 2131 - Computer and software
LBCS - 2132 - Camera and photographic supplies
LBCS - 2133 - Clothing, jewelry, luggage, shoes, etc - following are permitted only <ul style="list-style-type: none"> <li>➤ Apparel accessory stores</li> <li>➤ Apparel stores, children's and infants' clothing</li> <li>➤ Apparel stores, men's and boy's clothing</li> <li>➤ Apparel stores, women's and girls' clothing</li> <li>➤ Athletic shoe stores</li> <li>➤ Baby clothing shops</li> <li>➤ Bridal gown shops (except custom)</li> <li>➤ Clock shops</li> <li>➤ Clothing accessories stores</li> <li>➤ Clothing stores, children's and infants'</li> <li>➤ Clothing stores, family</li> <li>➤ Clothing stores, men's and boys'</li> <li>➤ Clothing store, women's and girls'</li> <li>➤ Coat stores</li> <li>➤ Costume jewelry stores</li> </ul>

Table 80-1 - Land-Use Classification

Uses Permitted by Right
<ul style="list-style-type: none"> <li>➤ Dress Shops</li> <li>➤ Fabric shops</li> <li>➤ Family clothing stores</li> <li>➤ Fur apparel stores</li> <li>➤ Furnishings stores, men's and boys'</li> <li>➤ Furnishings stores, women's and girls'</li> <li>➤ Handbag stores</li> <li>➤ Hat and cap stores</li> <li>➤ Hosiery stores</li> <li>➤ Jewelry stores, costume</li> <li>➤ Jewelry stores, precious</li> <li>➤ Leather coat stores</li> <li>➤ Tie shops</li> <li>➤ Unisex clothing stores</li> <li>➤ Watch shops</li> <li>➤ Wig and hairpiece stores</li> </ul>
<p>LBCS - 2134 - Sporting goods, toy and hobby, and musical instruments - only the following are permitted</p> <ul style="list-style-type: none"> <li>➤ Athletic equipment and supply stores (including uniforms)</li> <li>➤ Bicycle (except motorized) shops</li> <li>➤ Craft supply stores (except needlecraft)</li> <li>➤ Driving equipment stores</li> <li>➤ Exercise equipment stores</li> <li>➤ Fishing supply stores (e.g., bait)</li> <li>➤ Footwear (e.g., bowling, golf, spiked) specialty sports, stores</li> <li>➤ Golf pro shops</li> <li>➤ Hobby shops</li> <li>➤ Outdoor sporting equipment stores</li> <li>➤ Pro shops (e.g., golf, skiing, tennis)</li> <li>➤ Sporting goods stores</li> <li>➤ Sports gear stores (e.g., outdoors, scuba, skiing)</li> <li>➤ Tack shops</li> <li>➤ Tackle shops (i.e., fishing)</li> <li>➤ Toy stores</li> <li>➤ Uniform stores, athletic</li> </ul>
<p>LBCS - 2135 - Books, magazines, music, stationery - only the following are <b>not</b> ermitted</p> <ul style="list-style-type: none"> <li>➤ Curio shops</li> <li>➤ Magazine stands (i.e., permanent)</li> <li>➤ News dealers</li> <li>➤ Newsstands (i.e., permanent)</li> <li>➤ Novelty shops</li> </ul>
<p>LBCS - 2140 - Consumer goods, other- only the following are permitted</p> <ul style="list-style-type: none"> <li>➤ Art supply stores</li> <li>➤ Calendar shops</li> <li>➤ Candle shops</li> <li>➤ Collector's items shops (e.g., autograph, card, coin stamp)</li> <li>➤ Flower shops, artificial or dried</li> <li>➤ Home security equipment stores are permitted only in a Big Box</li> <li>➤ Hot tub stores are permitted only in a Big Box</li> <li>➤ Religious goods (except books) stores</li> <li>➤ Trophy (including awards and plaques) shops</li> </ul>

**Table 80-1 - Land-Use Classification**

Uses Permitted by Right
LBCS - 2151 - Grocery store, supermarket, or bakery - only the following are permitted <ul style="list-style-type: none"> <li>➤ Food (i.e. groceries) store - not Big Box</li> <li>➤ Grocery stores - not Big Box</li> </ul>
<ul style="list-style-type: none"> <li>➤ LBCS - 2153 - Specialty food store - only the following are permitted Ice cream (i.e., packaged) stores</li> </ul>
LBCS - 2155 - Beer, wine, and liquor store - only the following are permitted <ul style="list-style-type: none"> <li>➤ Wine shops, packaged</li> </ul>
LBCS - 2160 - Health and personal care - only the following are permitted <ul style="list-style-type: none"> <li>➤ Vitamin stores</li> </ul>
LBCS - 2161 - Pharmacy or drug store - only the following are permitted <ul style="list-style-type: none"> <li>➤ Pharmacies</li> </ul>
LBCS - 2163 - Optical - only the following are permitted <ul style="list-style-type: none"> <li>➤ Lens grinding, ophthalmic, in retail stores</li> <li>➤ Optical goods stores (except offices of optometrists)</li> </ul>
LBCS - 2210 - Bank, credit union, or saving institution - only the following are <b>not</b> permitted <ul style="list-style-type: none"> <li>➤ Branches of foreign banks</li> <li>➤ Check clearing activities of the central bank</li> </ul>
LBCS - 2220 - Credit and finance establishment - only the following are permitted <ul style="list-style-type: none"> <li>➤ Mortgage banking (i.e., nondepository mortgage lending)</li> <li>➤ National Credit Union Administration (NCUA)</li> </ul>
LBCS - 2230 - Investment banking, securities, and brokerages - following are permitted only <ul style="list-style-type: none"> <li>➤ Certificate of deposit (CD), brokers' offices</li> <li>➤ Loan brokerages</li> </ul>
LBCS - 2322 - Rental housing-related - only the following are permitted <ul style="list-style-type: none"> <li>➤ Residential hotel rental or leasing</li> </ul>
LBCS - 2331 - Cars- following are permitted only <ul style="list-style-type: none"> <li>➤ Automobile leasing</li> <li>➤ Automobile rental</li> <li>➤ Car leasing</li> <li>➤ Car rental</li> <li>➤ Car rental agencies</li> <li>➤ Passenger car leasing</li> <li>➤ Passenger car rental</li> <li>➤ Passenger van leasing</li> <li>➤ Passenger van rental</li> <li>➤ Passenger van rental agencies</li> <li>➤ Sport utility vehicle leasing</li> <li>➤ Sport utility vehicle rental</li> </ul>
LBCS - 2334 - Leasing commercial, industrial mach only the following are permitted <ul style="list-style-type: none"> <li>➤ Carpentry equipment rental or leasing</li> </ul>
LBCS - 2335 - Consumer goods rental- only the following are permitted <ul style="list-style-type: none"> <li>➤ Bridal wear rental</li> <li>➤ Clothing rental (except industrial launderer, linen supply)</li> <li>➤ Dress suit rental</li> <li>➤ Formal wear rental</li> <li>➤ Grown rental</li> </ul>

**Table 80-1 - Land-Use Classification**

Uses Permitted by Right
<ul style="list-style-type: none"> <li>➤ Suit rental</li> <li>➤ Tuxedo rental</li> </ul>
<p>LBCS - 2424 - Business support services- only the following are permitted Copy centers (except combined with printing services)</p> <ul style="list-style-type: none"> <li>➤ Copy shops (except combined with printing services)</li> <li>➤ Court reporting services</li> </ul>
<p>LBCS - 2510 - Full-service restaurant</p>
<p>LBCS - 2520 - Cafeteria or limited service restaurant</p>
<p>LBCS - 2530 - Snack or nonalcoholic bar</p>
<ul style="list-style-type: none"> <li>➤ LBCS - 2600- Personal services - only the following are permitted</li> <li>➤ Cosmetology salons or shops</li> <li>➤ Nails salons</li> <li>➤ One-hour photofinishing services</li> <li>➤ Photofinishing labs, one-hour</li> <li>➤ Photofinishing services, one-hour</li> </ul>
<p>LBCS - 2600 - Personal</p> <ul style="list-style-type: none"> <li>➤ Apparel pressing services</li> <li>➤ Automatic laundries, coin-operated</li> <li>➤ Balloon-o-gram services</li> <li>➤ Barber shops</li> <li>➤ Beautician services</li> <li>➤ Beauty and barber shops, combined</li> <li>➤ Beauty parlors</li> <li>➤ Beauty salons</li> <li>➤ Beauty shops</li> <li>➤ Blood pressure testing machine concession operators, coin-operated</li> <li>➤ Cleaners, drycleaning and laundry service (except coin-operated)</li> <li>➤ Coin-operated drycleaners and laundries</li> <li>➤ Coin-operated laundry and drycleaning routes (i.e., concession operators)</li> <li>➤ Coin-operated personal service machine (e.g., blood pressure, locker, photographic, scale, shoeshine) concession operators</li> <li>➤ Color consulting services (i.e., personal care services)</li> <li>➤ Consumer buying services</li> <li>➤ Cosmetology salons or shops</li> <li>➤ Depilatory (i.e., hair removal) salons</li> <li>➤ Diet centers, non-medical</li> <li>➤ Diet workshops</li> <li>➤ Ear piercing services</li> <li>➤ Electrolysis (i.e., hair removal) salons</li> <li>➤ Esthetician (i.e., skin care) services</li> <li>➤ Facial salons</li> <li>➤ Genealogical investigation services</li> <li>➤ Hair removal (i.e., dipilatory, electrolysis) services</li> <li>➤ Hair replacement services (except by offices of physicians)</li> <li>➤ Hair stylist salons or shops, unisex or women's</li> <li>➤ Hair stylist services, men's</li> <li>➤ Hair stylist services, unisex or women's</li> <li>➤ Hair stylist shops, men's</li> <li>➤ Hair weaving services</li> <li>➤ Hairdresser services</li> </ul>

**Table 80-1 - Land-Use Classification**

<b>Uses Permitted by Right</b>
<ul style="list-style-type: none"> <li>➤ Hairdressing salons or shops, unisex or women's</li> <li>➤ Launderettes</li> <li>➤ Laundries (except coin-operated, linen supply, uniform supply)</li> <li>➤ Laundries, coin-operated or similar self-service</li> <li>➤ Laundromats</li> <li>➤ Laundry drop-off and pick-up sites</li> <li>➤ Laundry machine routes (i.e., concession operators), coin-operated or similar self service</li> <li>➤ Laundry services (except coin-operated, linen supply, uniform supply)</li> <li>➤ Laundry services, coin-operated or similar self-service</li> <li>➤ Make-up (except permanent) salons</li> <li>➤ Make-up salons, permanent</li> <li>➤ Manicure and pedicure salons</li> <li>➤ Manicurist services</li> <li>➤ Nail salons</li> <li>➤ One-hour photofinishing services</li> <li>➤ Party planning services</li> <li>➤ Pedicure and manicure salons</li> <li>➤ Pedicurist services</li> <li>➤ Personal shopping services</li> <li>➤ Photofinishing labs, one-hour</li> <li>➤ Photofinishing services, one-hour</li> <li>➤ Phrenology services</li> <li>➤ Pickup and drop-off sites for drycleaners and laundries</li> <li>➤ Saunas</li> <li>➤ Scalp treating services</li> <li>➤ Self-service drycleaners and laundries</li> <li>➤ Shoeshine parlors</li> <li>➤ Shoeshine services</li> <li>➤ Shopping services, personal</li> <li>➤ Singing telegram services</li> <li>➤ Sun tanning salons</li> <li>➤ Tanning salons</li> <li>➤ Telegram services, singing</li> <li>➤ Uniform (except industrial) supply services</li> <li>➤ Unisex hair stylist shops</li> <li>➤ Wedding planning services</li> <li>➤ Weight loss centers, non-medical</li> <li>➤ Weight reducing centers, non-medical</li> </ul>
<p>LBCS - 3110 - Food and beverages - only the following are permitted</p> <ul style="list-style-type: none"> <li>➤ Bakery products, fresh (i.e., bread, cakes, doughnuts, pastries) made in commercial bakeries</li> <li>➤ Doughnuts (except frozen) made in commercial bakers (only for immediate sale)</li> </ul>
<p>LBCS - 3130 - Textiles - only the following are permitted</p> <ul style="list-style-type: none"> <li>➤ Tailored dress and sport coats, men's and boys' cut and sew apparel contractors</li> <li>➤ Tailored dress and sport coats, men's and boys', cut and sewn from purchased fabric (except apparel contractors)</li> <li>➤ Tuxedos cut and sew apparel contractors</li> <li>➤ Tuxedos cut and sewn from purchased fabric (except apparel contractors)</li> </ul>
<p>LBCS - 3220 - Paper and printing materials - only the following are permitted</p> <ul style="list-style-type: none"> <li>➤ Instant printing (i.e., quick printing)</li> <li>➤ Print shops, lithographic (offset) (except grey goods, manifold business forms, printing books, quick printing)</li> <li>➤ Print shops, quick</li> </ul>

**Table 80-1 - Land-Use Classification**

<b>Uses Permitted by Right</b>
<p>LBCS - 4121 - Rail passenger transportation</p> <ul style="list-style-type: none"> <li>➤ Use this classification for rail transportation establishment for passengers only (no freight). Establishments in the classification operate over long distances between metropolitan area, although some may provide additional local transportation. For systems within local areas only, use the appropriate local transit system classification.</li> </ul>
<p>LBCS - 4131 - Local transit systems - mixed mode</p> <ul style="list-style-type: none"> <li>➤ These establishments operate ground passenger transit systems using multiple modes of transport over regular routes and on regular schedules within a local or metropolitan area. For these systems, use the other LBCS dimensions to classify the specific characteristics of each site (i.e. rail versus bus). For systems involving only one mode of transportation, use one of the more specific classifications.</li> </ul>
<p>LBCS - 4132 - Local transit systems - commuter rail</p> <ul style="list-style-type: none"> <li>➤ Commuter rail establishments operate commuter rail system over regular routes and on a regular schedule within a local area. Commuter rail is usually characterized by reduced fares, multiple ride, and commutation tickets and is mostly used by passengers during the morning and evening peak periods.</li> </ul>
<p>LBCS - 4133 - Local transit systems - bus, special needs, and other motor vehicles</p> <ul style="list-style-type: none"> <li>➤ Use this classification for all single-mode local transit systems other than rail. Included are shuttle services and special need transportation for the elderly, infirm, or handicapped. This classification may include schedule and non-scheduled transit systems.</li> </ul>
<p>LBCS - 4134 - Interurban, charter bus, and other similar establishments</p> <ul style="list-style-type: none"> <li>➤ These establishments operate non-local passenger buses or other motor vehicles. They may operate over regular routes and schedules, for charter (i.e. without regular routes and schedules), or for special needs transportation (not provided by school or work) for the infirm, elderly, or handicapped.</li> </ul>
<p>LBCS - 4136 - Special purpose transit transportation (including scenic, sightseeing, etc.)</p> <ul style="list-style-type: none"> <li>➤ Use this classification for scenic, or sightseeing land transportation. These establishments are classified separately because (1) many do not offer transit between destination points (i.e. the destination is the same as the starting point); (2) they may operate both within local areas and over larger areas; (3) they may operate either mixed or single mode transit systems; and (4) they offer other services, such as a tour guide services. It may be impossible to separate scenic and sightseeing transportation from certain transit systems. For sightseeing services, use the appropriate local transit classification.</li> </ul>
<p>LBCS - 4137 - Taxi and limousine service</p> <ul style="list-style-type: none"> <li>➤ These establishments provide passenger transportation by automobile or van not over regular routes or regular schedules. Taxicab owner/operators, taxicab fleet operators and taxicab organizations are included. Also included are limousine and luxury sedan establishments, which may provide an array of specialty and luxury passenger transportation service.</li> </ul>
<p>LBCS - 4151 - Marine passenger transportation</p> <ul style="list-style-type: none"> <li>➤ Establishments in this class provide water transportation, including scenic and sightseeing for passengers.</li> </ul>
<p>LBCS - 4153 - Marine port and harbor operations</p> <ul style="list-style-type: none"> <li>➤ Establishments in this class operate ports, harbors (including docking and pier facilities), or canals.</li> </ul>
<p>LBCS - 4160 - Courier and messenger services</p> <ul style="list-style-type: none"> <li>➤ Courier and messenger services are establishments that provide air, surface, or combined courier delivery services of parcels, and messages within or between metropolitan area or urban centers. These establishments may form a network including local, and point-to-point pick up and delivery.</li> </ul>
<p>LBCS - 4212 - Software publisher</p> <ul style="list-style-type: none"> <li>➤ This classification comprises establishments that publish newspapers, magazines and other periodicals, books, databases, calendars, greeting cards, maps, and similar works. These works are usually protected by copyright, and may be published in one or more formats, such as print or electronic form including on-line. Publishers may print, reproduce, distribute, or offer direct access to the works, or may arrange others to carry out such functions.</li> </ul>
<p>LBCS - 4222 - Motion picture viewing and exhibition services</p> <ul style="list-style-type: none"> <li>➤ Establishments in this class operate movie theaters, drive-ins, film festival exhibitions, etc., for the display of motion</li> </ul>

**Table 80-1 - Land-Use Classification**

<b>Uses Permitted by Right</b>	
	pictures or videos.
LBCS - 4233 - Wireless telecommunications	<ul style="list-style-type: none"> <li>➤ Telecommunications establishments operate, maintain, or provide access to facilities for the transmission of voice, data, test, sound, or full motion picture video between network termination points. A transmission facility may be based on a single technology or a combination of technologies. Use this classification for wireless telecommunications only.</li> </ul>
LBCS - 5370 - Fitness, recreational sports, gym, or athletic club,	<ul style="list-style-type: none"> <li>➤ These establishments operate fitness and recreational sports facilities, or, provide services for fitness or recreational sports teams, clubs, or individual activities. The facilities-operating establishments to be classified here include: fitness clubs, gyms, archery and shooting ranges, horseback riding establishments, recreational ball parks and courts, and more. Sporting establishments that operate certain types of facilities are classified in other categories. For example, a yacht club operating a marina or docking facility is classified elsewhere (but a yacht club which does not operate such a facility, is classified here). For sporting establishments that operate facilities, first check whether a unique function code applies; if not, use this classification.</li> </ul>
LBCS - 6200 - Public administration	<ul style="list-style-type: none"> <li>➤ This category is for all government functions; it includes federal, state, and local government agencies that administer, oversee, and manage public programs and have executive, legislative, or judicial authority. Establishments develop policy, create laws, adjudicate civil and criminal legal cases, and provide for public safety and for national defense. However, government agencies also engage in a wide range of functions similar to private establishments. For such functions use the appropriate functional category (selling maps or operating a convention center). Ownership is not the determining criteria for this category; use the ownership dimension to classify such distinctions. Similarly, use the structure-type dimension to differentiate a government office building from a jail.</li> </ul>
LBCS - 6210 - Legislative and executive functions	<ul style="list-style-type: none"> <li>➤ May require additional categories to differentiate various local departments (e.g., public works versus planning). In such cases, use the ownership dimension to create additional categories at the fourth-digit level.</li> </ul>
LBCS - 6221 - Courts	<ul style="list-style-type: none"> <li>➤ Use this classification for civilian courts of law (except Indian tribal and Alaska Native courts). Included are civilian courts, courts of law, and sheriffs' offices conducting court functions only.</li> </ul>
LBCS - 6410 - Fire and rescue	<ul style="list-style-type: none"> <li>➤ Fire and rescue establishments engage in fire fighting and other related fire protection activities. Establishments providing fire protection along with ambulance or rescue services are classified here.</li> </ul>
LBCS - 6420 - Police	<ul style="list-style-type: none"> <li>➤ Police establishments provide criminal and civil law enforcement, police, traffic safety, and other activities related to the enforcement of the law and preservation of order. Combined police and fire departments are included. For private guard and security services, use the appropriate sales and services classification.</li> </ul>
LBCS - 6430 - Emergency response	<ul style="list-style-type: none"> <li>➤ Use this classification for establishments providing ground or air transportation for medical relief purposes. These services are often provided during a medical emergency but are not restricted to emergencies. The vehicles are equipped with lifesaving equipment operated by medically trained personnel.</li> </ul>
LBCS - 6511 - Clinics	<ul style="list-style-type: none"> <li>➤ These establishments include physician offices, dentists, chiropractors, optometrists, etc.</li> </ul>
LBCS - 6512 - Family planning and outpatient care centers	<ul style="list-style-type: none"> <li>➤ Family planning establishments provide outpatient family planning services, such as contraceptive services, genetic and prenatal counseling, voluntary sterilization, and other pregnancy services. Outpatient care centers or clinics have several practitioners with different specializations practicing within the same establishment. Many such centers also function as HMO medical centers and focus on primary health care. Some HMO centers also have functions related to insurance underwriting.</li> </ul>
LBCS - 6513 - Medical and diagnostic laboratories	<ul style="list-style-type: none"> <li>➤ These establishments are laboratories that provide analytic or diagnostic services, and other services, such as medical imaging, and forensics.</li> </ul>
LBCS - 6514 - Blood and organ banks	<ul style="list-style-type: none"> <li>➤ These establishments collect, store, or distribute blood and organs.</li> </ul>

**Table 80-1 - Land-Use Classification**

Uses Permitted by Right	
LBCS - 6520 -	<p>Nursing, supervision, and other rehabilitative services</p> <ul style="list-style-type: none"> <li>➤ Establishments in this subcategory provide inpatient nursing and rehabilitative services and can accommodate patients for extended care. These establishments have licensed health care staff serving patients and other support staff for continuous personal care services. Convalescent homes, convalescent hospitals, inpatient care hospices, nursing homes, and rest homes with nursing care are a few examples of services these establishments provide. This category also includes mental retardation services (not licensed hospital care) to people with mental illness, substance abuse problems, psychiatric convalescent needs, etc. The focus of these services may include health care, but the primary purpose is protective supervision and counseling. Other terms used to describe these services are: alcoholism or drug addiction rehabilitation, mental health halfway houses, group homes for the emotionally disturbed, and psychiatric convalescent homes. Other rehabilitation services establishments in this category provide include boot or disciplinary camps (except correctional), housing services for hearing or visually impaired, disabled, etc.</li> </ul>
LBCS - 6530 -	<p>Hospital</p> <ul style="list-style-type: none"> <li>➤ Hospitals provide medical, diagnostic, and treatment services. These establishments often offer physician, nursing and specialized accommodation services for inpatient care.</li> </ul>
LBCS - 6566 -	<p>Services for elderly and disabled</p> <ul style="list-style-type: none"> <li>➤ These establishments serve the elderly and persons with disabilities in a variety of ways (not at their homes). Services typically include group support, companionship, day care, homemaker services, etc. This class does not include housing for the elderly.</li> </ul>
LBCS - 6567 -	<p>Veterans affairs</p> <ul style="list-style-type: none"> <li>➤ These establishments provide health and human services for veterans. Many such facilities also maintain liaison and coordination functions.</li> </ul>
LBCS - 6810 -	<p>Labor and political organizations</p> <ul style="list-style-type: none"> <li>➤ These establishments promote the interests of organized labor and union employees, national, state, or local political parties or candidates. Included are labor unions, political groups, and political fund raising groups.</li> </ul>
LBCS - 6820 -	<p>Business associations and professional membership organizations</p> <ul style="list-style-type: none"> <li>➤ These establishments promote the business interests of their members, or of their profession as a whole. They may conduct research on new products and services; develop market statistics; sponsor quality and certification standards; lobby public officials; or publish newsletters, books, or periodicals for distribution to their members.</li> </ul>
LBCS - 7110 -	<p>Land development and subdivision</p> <ul style="list-style-type: none"> <li>➤ Establishments in this subcategory subdivide real property into lots and develop building lots for sale.</li> </ul>

**Sec. 80-30 Building Standards**

The following standards shall be applied to large retail building of 16,000 square feet or larger.

**A. Facades and Exterior Walls**

1. Facades or exterior walls exceeding 125 feet in length, as measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the façade or wall.
2. Street level façades that face public streets shall have arcades, display windows, intrigue areas, awnings and other such features as long as no less than 35 percent of the horizontal length of the ground floor façade.
3. Building façades shall include at least two of the following:
  - a. Color change
  - b. Texture change
  - c. Material change
4. Architectural or structural change that may include among other architectural or structural elements projecting ribs or offsets.
5. Other similar change in the façade meeting the intent and purpose of this ordinance.
6. Roofs shall have parapets that conceal rooftop equipment.

7. Ground level equipment shall be screened from public view.
8. Loading docks and bays shall be concealed by a solid wall and be designed and built of the same material as the structure on which it is attached.

**B. Materials and Colors**

Materials and colors should be high-quality materials, including, but not limited to brick, stone, or stone and tinted/textured concrete masonry units.

**C. Entryways**

Entryways of large retail establishments should have clearly defined, highly visible customer entrances identified through the use of any of the following shown in Table 80-2:

**Table 80-2 - Permitted Entry Types**

Canopies or porticos
Overhangs
Recesses/projections
Arcades
Raised cornice parapets over the door
Peaked roof forms
Arches
Outdoor patios
Display windows
Architectural details that are integrated into the building structure and design
Planters or wing walls that are incorporated into the landscape areas and/or places for sitting

**D. Development Plan and Site Design and Relationship to Veterans Parkway Corridor**

A development plan complies with Division 170 shall be submitted and other requirements below:

1. Excluding movie theaters, all sides of a building that directly faces or abuts a public street shall include at least one customer entrance.
2. No more than 50 percent of the off street parking area for a lot, tract, or area of land devoted to large retail establishment shall be located between the front of a large building and abutting streets.
3. The rear lot line shall not be less than 35 feet where the façade faces adjacent to residential uses or a residential zone.
4. The site design must provide a direct connection and safe street crossings to adjacent land uses. This may be accomplished to the utilization of the network sidewalks and walkways.
5. In no instance shall sidewalk be less than four feet in width, however, sidewalks of sufficient width to separate pedestrians from vehicular related elements such as regulatory signage, fire hydrants, etc. shall be provided and connected to the sidewalks along Veterans Parkway. Internal walkways and sidewalks shall be distinguished from driving surfaces to the use of low maintenance materials such as pavers; bricks or scored concrete in an effort to enhance safety and comfort as well as the aesthetics of the sidewalk.
6. In order to preserve the width of the sidewalk wheel stop shall be used at parking spaces or a vegetated area of sufficient width shall be provided to avoid the overhang of any part of a vehicle over a sidewalk.
7. Internal pedestrian's walkways shall connect with the exterior sidewalks system connecting with the Veterans Parkway.
8. Lighting shall not cause a nuisance due to light trespass, spill or glare, or reflected glare, or visual discomfort regardless of standards of the Illumination. The Illuminating Engineering Society of North America [IESNA] standards of illumination are a minimum and not a general recipe or "one size fits all" solution to lighting in the Veterans Parkway Corridor. Electrical service to any structure shall be underground.
9. Signage shall be in conformance with Clarksville Zoning Ordinance Division 200 unless otherwise approved in the development plan review.
10. Landscaping shall be in conformance with Clarksville zoning ordinance Division 180 unless otherwise approved in the development plan review.

**Table 80-3 - Noise Levels in Decibels**

Zones	Time of Day	
	Daytime	Nighttime
Residential	72	62
Business	78	70

11. Noise levels shall be as follows: "daytime" for non-stationary sources means six (6) a.m. to eleven (11) p.m. and "night time" for non-stationary sources shall mean eleven (11) p.m. to six (6) a.m.; "daytime" for fixed sources shall mean seven (7) a.m. to nine (9) p.m. and "night time" for fixed sources shall mean nine (9) p.m. to seven (7) a.m. No public address systems shall be permitted. The noise levels shall be developed in accordance with Table 80-3.

**Sec. 80-40 Assurances**

The following assurances may be required for certain developments in the VPCZ.

- A. The petitioner shall provide financial assurance for the satisfactory installation of all public facilities in the form of bonds or such other assurances as are required in the normal procedures of platting pursuant to the provisions of Section A of Article IV of the Subdivision Regulations.
- B. In conformance with Article IV Section B of the Clarksville Subdivision Regulations adequate provision shall be made for a private organization with legal and direct responsibility to, and control by, the property owners involved to providing for the operation and maintenance of all common facilities jointly shared by such property owners if such facilities are a part of the VPCZ development, and, in such instance, legal assurances shall be provided which show that the private organization is self-perpetuating and adequately funded to accomplish its purposes.
- C. Common facilities, which are not dedicated to the public, shall be maintained to standards assuring continuous and adequate maintenance at a reasonable and non-discriminatory rate of charge to the beneficiaries thereof. Common facilities not dedicated to the public shall be operated and maintained at no expense to any governmental unit.

**Sec. 80-50 Commitments**

Commitments can either restrict or mandate actions to be taken regarding a VPCZ development.

- A. Commitments may be required by the Plan Commission as an ingredient for stability and longevity of the VPCZ plan, and may set forth in detail provisions for the ownership and maintenance of facilities held in common so as to insure their continuity and conservation. Said covenant provisions may include specific remedies in the event facilities held in common are permitted to deteriorate or not maintained in a condition consistent with the best interests of the Town. In such event, the Town shall take those remedial steps provided for in such provision.
- B. The Plan Commission may require the recording of commitments for any reasonable public or semi-public purpose, including, but not limited to, the allocation of land by the petitioner for public thoroughfares, parks, schools, recreational facilities, and other public and semi-public purposes wherever necessary in conformity with the Development Plan of current adoption. Such commitments shall provide that if a governmental unit or agency thereof does not proceed with acquisition of the allocated land within a specified period of time, the commitments shall automatically terminate. If such termination occurs, the petitioner shall then submit for approval by the Plan Commission a modified Development Plan for such land consistent with the approved Development Plan. Such modified detailed Development Plan, when approved, shall be treated in the same manner as approved detailed Development Plan for an entire VPCZ plan.
- C. Commitments are binding on the owner of the parcel, subsequent owners of the parcel and any person who acquires an interest in the parcel.
- D. Commitments may be enforced by the Plan Commission, Town Council or owners of property adjoining the VPCZ to a depth of two ownerships, but not exceeding six hundred sixty [660] feet from the perimeter of the VPCZ. The identity of the owners shall be determined from the Clark County Assessor’s office.

<b>Table 80-4 - Possible Commitments</b>	
<b>Total, parcel, tract, lot area</b>	
<i>Uses</i>	
Floor area	
Lot area coverage	
Ratios of floor space to land area	
Area in which structures may be built ("Buildable area")	
Recreation or Open space	
Front, rear, and side yard setbacks	
Building separations	
Storm water management plan	
Height of structures	
Off-street parking and loading space locations	
Phasing of development, if any	
Outdoor lighting plan	
Signage plan	
Landscaping plan	
The Plan Commission may require other commitments to meet purpose of this section	

- E. The Plan Commission has the perpetual right to modify or terminate commitments by decision of the Plan Commission at a public hearing so long as the VPCZ is in existence. Commitments shall automatically terminate upon a rezoning of the property to a different zoning classification.
- F. The Plan Commission may require the recording of commitments for any other reasonable purpose, including but not limited to, imposing standards for development of property in the VPCZ. Such development plan may include, but are not limited to, requirements as shown in Table 80-4: Possible Commitments

An applicant for a building permit shall file a Development Plan in compliance with Division 170 or any amendment to said ordinance concerning development plan requirements.

**Sec. 80-60 Improvement Location Permits**

Location Permit shall not be issued for a VPCZ development unless all requirements of this ordinance have been met by the applicant.

Content

SEC. 85-10 SPECIFIC PURPOSE..... 1  
 SEC. 85-20 USE CLASSIFICATION ..... 1  
 SEC. 85-30 DEVELOPMENT STANDARDS ..... 1

**Sec. 85-10 Specific Purpose**

Through public and private resources promote public health, safety, comfort, morals, convenience and general welfare of the Town and implement the Clarksville Park & Recreation Master Plan

**Sec. 85-20 Use Classification**

OPS uses shall be in accordance with Table 85-1, Land Use Classification:

Table 85-1 - Land-Use Classification	
Permitted uses	
LBCS - 2333 - Recreational goods rental - following only are <b>not</b> permitted	<ul style="list-style-type: none"> <li>➤ Beach chair rental</li> <li>➤ Beach umbrella rental</li> <li>➤ Exercise equipment rental</li> <li>➤ Motorcycle rental</li> <li>➤ Ski equipment rental</li> <li>➤ Snow ski equipment rental</li> </ul>
LBCS - 5160 - Independent artist, writer, or performer	<ul style="list-style-type: none"> <li>➤ This industry comprises independent (i.e., freelance) individuals primarily engaged in performing in artistic productions, in creating artistic and cultural works or productions, or in providing technical expertise necessary for these productions. This industry also includes athletes and other celebrities exclusively engaged in endorsing products and making speeches or public appearances for which they receive a fee.</li> </ul>
LBCS - 5370 - Fitness, recreational sports, gym, or athletic club,	<ul style="list-style-type: none"> <li>➤ These establishments operate fitness and recreational sports facilities, or, provide services for fitness or recreational sports teams, clubs, or individual activities. The facilities-operating establishments to be classified here include: fitness clubs, gyms, archery and shooting ranges, horseback riding establishments, recreational ball parks and courts, and more. Sporting establishments that operate certain types of facilities are classified in other categories. For example, a yacht club operating a marina or docking facility is classified elsewhere (but a yacht club which does not operate such a facility, is classified here). For sporting establishments that operate facilities, first check whether a unique function code applies; if not, use this classification.</li> </ul>
LBCS - 5400 - Camps, camping, and related establishments	<ul style="list-style-type: none"> <li>➤ Some of these establishments operate sites to accommodate campers and their equipment, including tents, tent trailers, travel trailers, and recreational vehicles; others provide overnight recreational camps, such as children"s camps, family vacation camps, hunting and fishing camps, and outdoor adventure retreats that offer trail riding, white-water rafting, hiking, and similar activities. These establishments may provide facilities and services, such as cabins, washrooms, food services, recreational facilities and equipment, and organized recreational activities.</li> </ul>
LBCS - 5500 - Natural and other recreational parks	<ul style="list-style-type: none"> <li>➤ Use this classification for all parks without special economic functions. The other LBCS dimensions should be applied to code the type of park. Use the ownership dimension to distinguish between public and private parks, the site dimension to distinguish between community parks and state parks, etc.</li> </ul>

**Sec. 85-30 Development Standards**

Development Standards shall be determined through the development plan process in conjunction with the Clarksville Parks ,Dept.

Content

SEC. 90-10 SPECIFIC PURPOSE..... 1  
 SEC. 90-20 USE CLASSIFICATION ..... 1  
 SEC. 90-30 DEVELOPMENT PLAN ..... 2  
 SEC. 90-40 DEVELOPMENT STANDARDS ..... 2

**Sec. 90-10 Specific Purpose**

The purpose of this zone is to assure that future development is low impact in nature, constructed, and support of the historic significances and archaeological character of the zone. Land use and development should contribute to the zone's use for recreation, parks, historic preservation and heritage tourism. To adequately address inappropriate uses of this zone should be discontinued and the site restored, and redeveloped, conserve, and interpret the cultural, historic, and ecological significance of this National Register site.

**Sec. 90-20 Use Classification**

OTC uses shall be in accordance with Table 90-1, Land Use Classification.

Table 90-1 Land-Use Classification	
	Uses Permitted by Right
LBSC - 1310 - Bed and breakfast inn	
LBSC - 2140 - Souvenir shops- following are permitted only	<ul style="list-style-type: none"> <li>➤ Souvenir shops</li> </ul>
LBSC - 2142 - Art dealers, supplies, soles and service - following are permitted only	<ul style="list-style-type: none"> <li>➤ Art galleries retailing art</li> <li>➤ Galleries, art, retail</li> </ul>
LBSC - 2321 - Commercial property-related - following are permitted only	<ul style="list-style-type: none"> <li>➤ Dock and associated building rental or leasing</li> </ul>
LBSC - 2332 - Leasing trucks, trailers, RV's, etc.- following are permitted only	<ul style="list-style-type: none"> <li>➤ Boats rental (except pleasure)</li> <li>➤ Boat rental or leasing, commercial</li> <li>➤ Camper rental</li> <li>➤ Recreational trailer, rental</li> </ul>
LBSC - 2416 - Research and development services (scientific, etc.) - following are permitted only	<ul style="list-style-type: none"> <li>➤ Archeological research and development services</li> </ul>
LBSC - 4151 - Marine passenger transportation	<ul style="list-style-type: none"> <li>➤ Establishments in this class provide water transportation, including scenic and sightseeing, for passengers.</li> </ul>
LBSC - 5110 - Theater, dance, or music establishment	<ul style="list-style-type: none"> <li>➤ This subcategory comprises establishments producing live presentations by actors and actresses, singers, dancers, musicians, and other performing artists. Establishments include: companies, groups, or theaters that produce theatrical presentations and dance (ballet, musicals, operas, plays, etc.); dinner theaters that produce theatrical productions and provide food and beverage for consumption on the premises; and groups or freelance artists producing live musical entertainment. Theater/dance groups or companies may or may not operate their own theater or other facility for staging their shows. Musical groups and artists may perform in front of a live audience or in a studio, and may or may not operate their own facilities for staging their shows</li> </ul>
LBSC - 5160 - Independent artist, writer, or performer	<ul style="list-style-type: none"> <li>➤ This industry comprises independent (i.e., freelance) individuals primarily engaged in performing in artistic productions, in creating artistic and cultural works or productions, or in providing technical expertise necessary for these productions. This industry also includes athletes and other celebrities exclusively engaged in endorsing products and making speeches or public appearances for which they receive a fee.</li> </ul>
LBSC - 5210 - Museum	<ul style="list-style-type: none"> <li>➤ These establishments preserve and exhibit objects of historical, cultural, or educational value.</li> </ul>
LBSC - 5220 - Historical or archeological institution	

**Table 90-1 Land-Use Classification**

<b>Uses Permitted by Right</b>	
	<ul style="list-style-type: none"> <li>➤ These establishments preserve and exhibit sites, buildings, forts, or communities that describe events or persons of particular historical interest. Archeological sites, battlefields, historical ships, and pioneer villages are included in this subcategory.</li> </ul>
LBCS - 5360 - Marina or yachting club facility operators	<ul style="list-style-type: none"> <li>➤ Marinas operate docking and storage facilities for pleasure craft owners. They may retail fuel and marine supplies, and may repair, maintain, or rent pleasure boats in addition to operating facilities.</li> </ul>
LBCS - 5400 - Camps, camping, and related establishments	<ul style="list-style-type: none"> <li>➤ Some of these establishments operate sites to accommodate campers and their equipment, including tents, tent trailers, travel trailers, and recreational vehicles; others provide overnight recreational camps, such as children's camps, family vacation camps, hunting and fishing camps, and outdoor adventure retreats that offer trail riding, white-water rafting, hiking, and similar activities. These establishments may provide facilities and services, such as cabins, washrooms, food services, recreational facilities and equipment, and organized recreational activities.</li> </ul>
LBCS - 5500 - Natural and other recreational parks	<ul style="list-style-type: none"> <li>➤ Use this classification for all parks without special economic functions. The other LBCS dimensions should be applied to code the type of park. Use the ownership dimension to distinguish between public and private parks, the site dimension to distinguish between community parks and state parks, etc.</li> </ul>
LBCS - 6100 - Educational services	<ul style="list-style-type: none"> <li>➤ The establishments in this category offer teaching and learning. Educational service may be provided in a variety ways (e.g., through educational institutions, the workplace, television, or home correspondence). Use the other dimensions to identify the precise nature of the land use. For example, the structure dimension can differentiate a school bus garage from a school building, or the ownership dimension can identify private from public schools.</li> </ul>

**Sec. 90-30 Development Plan**

A development plan is required for this zone. The applicant shall submit a development plan meeting the requirements of this zoning ordinance. The development plan shall be submitted to the Planning Department for distribution and review by members of the TRC, the Clarksville Historic Preservation Commission, Parks Department, and final review by the Plan Commission. Prior to Plan Commission review the following is required:

- A. Historic Review and Certificate of Appropriateness.
- B. Prior to preparing a development plan the owner or applicant shall have a pre-development plan meeting with the Clarksville Historic Preservation Commission. The Historic Preservation Commission shall review the Development Plan for appropriateness of the development, aesthetics, materials, colors, style, landscaping, site lay out and configuration.
- C. The Historic Preservation Commission shall be assisted by the TRC, Plan Director, Parks Superintendent, and Floodplain Administrator. Other qualified professionals may also be consulted, including, but not limited to, biologists, environmentalists, archaeologists, architects and engineers, and other qualified professionals.
- D. Section 106 Review.
- E. The Indiana State Historic Preservation Officer shall review each proposed development in this zoning district. No building or improvement permits shall be issued without documentation of the resolution of any concerns of the SHPO.

**Sec. 90-40 Development Standards**

Lighting, materials, colors, and signs shall be consistent with the natural environment and shall be approved by the Historic Preservation Commission and Parks Superintendent. Members of the TRC shall provide assistance, as required.

Parking areas, roads, trails, and paths, shall incorporate low impact materials to the greatest extent possible and be approved by the Historic Preservation Commission, Parks Superintendent, and TRC.

CONTENT

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SEC. 95-20 PUD ZONE ESTABLISHMENT AND PRIMARY APPROVAL ..... 1

SEC. 95-30 PERMITTED USES..... 1

SEC. 95-40 PLATTING PROCEDURE AND SUBDIVISION OF LAND IN A PUD ..... 2

SEC. 95-50 REQUIREMENTS FOR DETAILED PUD DEVELOPMENT PLAN AND DOCUMENTATION FOR SECONDARY APPROVAL ..... 2

SEC. 95-60 PLAN COMMISSION REVIEW AND SECONDARY APPROVAL..... 2

SEC. 95-70 NOTICE ..... 2

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SEC. 95-90 MODIFICATIONS OF PUD ..... 2

SEC. 95-100 APPEAL OF PLAN COMMISSION DECISION..... 2

SEC. 95-110 IMPROVEMENT LOCATION PERMIT ..... 2

**Sec. 95-10 Short Title**

The purpose of this division is to encourage creativity in design, layout, and development standards that will contribute to sustainable developments and neighborhoods, and preservation of natural resources.

**Sec. 95-20 PUD Zone Establishment and Primary Approval**

The parcel to be developed as a PUD shall first be zoned PUD in compliance with the Article 5, Division 250. Documentation to be submitted shall be a site plan showing the following:

- A. A site drawing showing boundary description with dimensions and size of the site.
- B. Vicinity map and north arrow and scale
- C. Location of existing structures and structures to be demolished
- D. Aerial photograph showing site
- E. Deed or written permission of the owner to submit the PUD
- F. Location, name and width of adjoining public streets and all easements
- G. Proposed uses of the parcel
- H. Uses of adjoining parcels
- I. Names of adjoining property owners
- J. Name address, email address, fax number and telephone number of owner, land surveyor and/or engineer or attorney as may be appropriate

**Sec. 95-30 Permitted Uses**

- A. Uses permitted by right in an R-1, R-2, R-3, B-1, B-2, VPCZ, EBCZ, OPS, any subdivision or combination of these uses.
- B. Average lot area developments
- C. Traditional and site condominiums
- D. Conservation developments
- E. Neighborhood developments

**Sec. 95-40      Platting Procedure and Subdivision of Land in a PUD**

The procedure for platting a parcel of real property that is zoned as a planned unit development district under this series is the same as the procedure described in the Clarksville Subdivision Ordinance.

**Sec. 95-50      Requirements for Detailed PUD Development Plan and Documentation for Secondary Approval**

The documentation for a PUD shall comply with Article 4 Division 170, excluding Sec. 170-120 and Sec. 170-130 of this zoning ordinance.

**Sec. 95-60      Plan Commission Review and Secondary Approval**

The Plan Commission has exclusive authority to approve or disapprove a development plan for real property located within the plan commission’s jurisdiction.

**Sec. 95-70      Notice**

A public hearing shall be conducted by the Plan Commission to consider secondary approval of a PUD. Notice shall be given in compliance with IC 5-3-1 and sec. 250-60 of this zoning ordinance

**Sec. 95-80      Review Standards**

The Plan Commission is designated the authority to conduct secondary reviews, grant approvals, and to make modifications of a PUD ordinance.

The Plan Commission shall review a development plan to determine if the development plan:

- A. Is consistent with the comprehensive plan.
- B. Satisfies the development requirements specified in the zoning ordinance.
- C. The Plan Commission may also do the following:
  - 1. Impose conditions on the approval of a development plan if the conditions are reasonably necessary to satisfy the development requirements specified in the zoning ordinance for approval of the development plan.
  - 2. Provide that approval of a development plan is conditioned on the furnishing to the Plan Commission a bond or written assurance that:
    - a. Guarantees the timely completion of a proposed public improvement in the proposed development.
    - b. Is satisfactory to the Plan Commission.
    - c. Permit or require the owner of real property to make written commitments.

**Sec. 95-90      Modifications of PUD**

The Plan Commission has the authority to modify permitted uses or development requirements that are specified in a PUD district ordinance.

A decision of the Plan Commission to grant or deny approval or a modification under this section, whether made after an original hearing or the hearing of an appeal, is a final decision that may be reviewed under IC 36-7-4 -1016.

**Sec. 95-100      Appeal of Plan Commission Decision**

An appeal to the Town Council may be requested and shall comply with IC 36-7-1016, as may be amended.

**Sec. 95-110      Improvement Location Permit**

Prior to an ILP being issued the PUD shall be reviewed and approved by the Plan Commission.

CONTENT

SEC. 100-10 SPECIFIC PURPOSE..... 1  
 SEC. 100-20 USE CLASSIFICATION ..... 1  
 SEC. 100-30 DEVELOPMENT STANDARDS ..... 8  
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**Sec. 100-10 Specific Purpose**

This district includes manufacturing; wholesaling and warehousing uses with minimum nuisances that can be screened or buffered from non-industrial uses and the entire operation are within a completely closed building. No storage of raw materials, manufactured products, or any other materials is permitted in a non-screened open space around the building. Loading and unloading berths are completely enclosed or shielded by solid screening.

**Sec. 100-20 Use Classification**

I-1 uses shall be in accordance with Table 100-1, Land Use Classification.

**Table 100-1 - Land-Use Classification**

**Uses Permitted by Right**

Any use permitted in a B-2 District

LBCS - 2115 - Parts, accessories, or tires - only the following are permitted

- Used automotive parts stores
- Used automotive tire dealers
- Used tire dealers

LBCS - 2120 - Heavy consumer goods sales or services - only the following are permitted

- Electric motor repair and maintenance services, commercial or industrial
- Heavy machinery and equipment repair and maintenance services
- Hydraulic equipment repair and maintenance services
- Industrial equipment and machinery repair and maintenance services
- Industrial truck (e.g., forklifts) repair and maintenance services
- Material handling equipment repair and maintenance services
- Mechanical power transmission equipment repair and maintenance services
- Mining machinery and equipment repair and maintenance services
- Motor repair and maintenance services, commercial or industrial
- Paper making machinery repair and maintenance services
- Reconditioning shipping barrels and drums
- Refrigeration equipment repair and maintenance services, industrial and commercial-type
- Service machinery and equipment repair and maintenance services
- Textile machinery repair and maintenance services
- Tractor, farm or construction equipment repair and maintenance services
- Truck refrigeration repair and maintenance services

LBCS - 2144 - Mail order or direct selling establishment - only the following are permitted

- Coal dealers, direct selling
- Firewood dealers, direct selling
- Fuel oil (i.e., heating) dealers, direct selling
- Heating oil dealers, direct selling
- Liquefied petroleum gas (LPG) dealer, direct selling
- Locker meat provisioners, direct selling

LBCS - 2321 - Commercial property - related - only the following are permitted

- Industrial building rental or leasing

LBCS - 2332 - Leasing trucks, trailers, RV's, etc - only the following are permitted

- Semi-trailer rental or leasing

LBCS - 2334 - Leasing commercial, industrial machinery, and equipment - only the following are permitted

- Agricultural machinery and equipment rental or leasing
- Bulldozer rental or leasing without operator
- Farm equipment rental or leasing
- Farm tractor rental or leasing
- Forestry machinery and equipment rental or leasing
- Generator rental or leasing
- Heavy construction equipment rental without operator
- Industrial truck rental or leasing
- Manufacturing machinery and equipment rental or leasing, if entirely within a closed building
- Materials handling machinery and equipment rental or leasing, if entirely within a closed building
- Metalworking machinery and equipment rental or leasing
- Pallet rental or leasing
- Sawmill machinery rental or leasing
- Skid rental or leasing
- Textile machinery rental or leasing
- Truck, industrial, rental or leasing
- Welding equipment rental or leasing
- Woodworking machinery and equipment rental or leasing

LBCS - 2418 - Veterinary services - only the following are permitted

- Livestock inspecting and testing services, veterinary
- Livestock veterinary services
- Veterinary services, livestock

LBCS - 3220 - Paper and printing materials permitted - All uses in this functional class are permitted except those listed below, which are classified in I-2

- Absorbent paper stock manufacturing
- Chipboard (i., paperboard) stock manufacturing
- Chipboard, laminated or surface coated, made from purchased paperboard
- Groundwood paper, coated, made from purchased paper
- Insulating batts, fills, or blankets made from purchased paper
- Kraft paper stock manufacturing
- Kraft paper stock manufacturing
- Newsprint paper manufacturing
- Pads, incontinent and bed, manufacturing
- Pallets, corrugated and solid fiber, made from purchased paper or paperboard
- Paper (except newsprint, uncoated groundwood) manufacturing
- Vulcanized fiber products made from purchased paperboard

LBCS - 3360 - Electrical equipment, appliance, and components manufacturing - All uses in this functional class are permitted except those listed below, which are classified in I-2

- Atom smashers (i.e., particle accelerators) manufacturing
- Automobile storage batteries manufacturing
- Batteries, primary, dry or wet, manufacturing
- Batteries, rechargeable, manufacturing
- Battery chargers, solid-state, manufacturing

LBCS - 3400 - Miscellaneous manufacturing

LBCS - 3410 - Jewelry and silverware

LBCS - 3420 - Dolls, toys, games, and musical instruments

LBCS - 3430 - Office supplies, inks, etc

LBCS - 3440 - Signs

LBCS - 3510 - Durable goods - All uses in this functional class are permitted except those listed below, which are classified in I-2

- Clay construction materials (except refractory) wholesaling

- Communications equipment wholesaling
- Concrete building products wholesaling
- Construction machinery and equipment wholesaling
- Construction materials, electrical, wholesaling
- Containers, industrial, wholesaling
- Conveying equipment (except farm) wholesaling
- Conveying equipment, farm, wholesaling
- Cooking equipment, commercial, wholesaling
- Cooking equipment, electric household-type, wholesaling
- Cooking equipment, gas, household-type, wholesaling
- Cooperage stock wholesaling
- Cordage wholesaling
- Cranes, industrial, wholesaling
- Cranes, mining, wholesaling
- Crushed stone wholesaling
- Cultivating machinery and equipment wholesaling
- Drums, new and reconditioned, wholesaling
- Engines and parts, aircraft, wholesaling
- Farm machinery and equipment wholesaling
- Feeders, animal, wholesaling
- Ferroalloys wholesaling
- Ferrous metal wholesaling
- Fiberglass building materials (except insulation, roofing, siding) wholesaling
- Fluid-power transmission equipment wholesaling
- Forestry machinery and equipment wholesaling
- Forklift trucks (except log) wholesaling
- Foundry machinery and equipment wholesaling
- Foundry products wholesaling
- Fuel, coal and coke, wholesaling
- Gasoline service station equipment wholesaling
- Germ stones wholesaling
- General merchandise, durable goods, wholesaling
- General-line scrap wholesaling
- General-purpose industrial machinery and equipment wholesaling
- Generators, electrical (except motor vehicle), wholesaling
- Generators, motor vehicle electrical, new, wholesaling
- Generators, motor vehicle, electrical, used wholesaling
- Glass scrap wholesaling
- Glass, automotive, wholesaling
- Guided missiles and space vehicles wholesaling
- Heating boilers, steam and hot water, wholesaling
- Heating equipment, hot water, wholesaling
- Hoists (except automotive) wholesaling
- Hoists, automotive, wholesaling
- Hose, industrial, wholesaling
- Industrial machinery and equipment (except electrical) wholesaling
- Industrial trucks, tractors, or trailers wholesaling
- Inks, printing, wholesaling
- Internal combustion engines (except aircraft, nondiesel automotive, nondiesel trucks) wholesaling
- Locomotives wholesaling
- Logging equipment wholesaling
- Lumber (e.g., dressed, finished, rough) wholesaling
- Marine supplies, (except pleasure) wholesaling

- Mason's material wholesaling
- Material handling machinery and equipment wholesaling
- Metal scrap and waste wholesaling
- Metallic concentrates wholesaling
- Metals, ferrous and nonferrous, wholesaling
- Metals, precious, wholesaling
- Metalworking machinery and equipment wholesaling
- Military vehicles (except trucks) wholesaling
- Mill supplies wholesaling\Millwork wholesaling
- Minerals (except construction materials, petroleum) wholesaling
- Mining machinery and equipment (except petroleum) wholesaling
- Mining machinery and equipment, petroleum, wholesaling
- Molding (e.g., sheet metal, wood) wholesaling
- Motor vehicle parts, used, wholesaling
- Nonferrous metals (except precious) wholesaling
- Oil well machinery and equipment wholesaling
- Oil well supply houses wholesaling
- Oil, waste, wholesaling
- Ordinance and accessories wholesaling
- Ore concentrates wholesaling
- Ores (e.g., gold, iron, lead, silver, zinc) wholesaling
- Paper and pulp industries manufacturing machinery wholesaling
- Paper, scrap, wholesaling
- Pig iron wholesaling
- Pipe, metal, wholesaling
- Pipeline machinery and equipment wholesaling
- Plastics scrap wholesaling
- Pollution control equipment (except air) wholesaling
- Pollution control equipment, air, wholesaling
- Power transmission equipment, electrical, wholesaling
- Power transmission supplies (e.g., gears, pulleys, sprockets) mechanical, wholesaling
- Prefabricated buildings (except wood) wholesaling
- Prefabricated buildings, wood, wholesaling
- Printing inks wholesaling
- Printing trade machinery, equipment, and supplies wholesaling
- Pulpwood wholesaling
- Pumps and pumping equipment, industrial-type, wholesaling
- Quarrying machinery and equipment wholesaling
- Radar equipment wholesaling
- Rags wholesaling
- Railroad cars wholesaling
- Railroad equipment and supplies wholesaling
- Railroad ties, wood, wholesaling
- Rails and accessories, metal, wholesaling
- Reconditioned barrels and drums wholesaling
- Recyclable materials (e.g., glass, metal, paper) wholesaling
- Refinery machinery and equipment wholesaling
- Refrigeration equipment and supplies, commercial-type, wholesaling
- Regulators, voltage (except motor vehicle), wholesaling
- Road construction and maintenance machinery wholesaling
- Rods, metal (except precious), wholesaling
- Rubber goods, mechanical (i.e., extruded, lathe-cut, molded). wholesaling
- Rubber scrap and scrap tires wholesaling

- Sand (except industrial), wholesaling
- Sand, industrial, wholesaling
- Sawmill machinery, equipment, and supplies wholesaling
- Scrap materials wholesaling
- Semi-finished metal products wholesaling
- Sheet metal roofing materials wholesaling
- Shipping containers (except disposable plastics, paper) wholesaling
- Shipping pails, metal wholesaling
- Ships wholesaling
- Smelting machinery and equipment wholesaling
- Snow plows wholesaling
- Snowblowers (except household-type) wholesaling
- Special purpose industrial machinery and equipment wholesaling
- Spray painting equipment, industrial-type, wholesaling
- Sprayers, farm, wholesaling
- Spreaders, fertilizer, wholesaling
- Springs, steel, wholesaling
- Steel wholesaling
- Steel wool wholesaling
- Stone, building or crushed, wholesaling
- Storage batteries (except automotive) wholesaling
- Storage tanks, metal, wholesaling
- Street sweeping and cleaning equip met wholesaling
- Structural clay tile (except refractory) wholesaling
- Subway cars wholesaling
- Tarred felts wholesaling
- Textile machinery and equipment wholesaling
- Textile waste wholesaling
- Ties, wood, wholesaling
- Tile, structural clay (except refractory) wholesaling
- Timber and timber products (except lumber) wholesaling
- Tractors, highway, wholesaling
- Tractors, industrial, wholesaling
- Trailers, industrial, wholesaling
- Trailers, motor vehicle, wholesaling
- Transformers, electronic, wholesaling
- Transformers, electronic, wholesaling
- Tubing metal, wholesaling
- Turbines (except transportation), wholesaling
- Turbines, transportation, wholesaling
- Ventilating equipment and supplies (except household-type fans) wholesaling
- Wire rope (except insulated) wholesaling
- Wood products (e.g., chips, post, shavings, ties) wholesaling

LBCS - 3520 - Nondurable goods - All uses in this functional class are permitted except those listed below, which are classified in I-2

- Acids wholesaling
- adhesives and sealants wholesaling
- Agricultural chemicals wholesaling
- Agricultural limestone wholesaling
- Animal hair wholesaling
- Automotive chemicals (except lubrication greases, lubrication oils) wholesaling
- Bovine semen wholesaling
- Caustic soda wholesaling
- Chemical additives (e.g., concrete, food, fuel, oil) wholesaling

- Chemical gases wholesaling
- Chemicals (except agriculture) (e.g., automotive, household, industrial, photographic) wholesaling
- Chemicals, agricultural, wholesaling
- Chicken and chicken products (except packaged frozen) wholesaling
- Chicks wholesaling
- Cleaning compounds and preparations wholesaling
- Coal tar products, primary and intermediate, wholesaling
- Crude oil terminals
- Crude oil wholesaling (except bulk, stations, terminals)
- Crude rubber wholesaling
- Cured fish wholesaling
- Cutting of purchased carcasses (except boxed meat cut on an assembly-line basis)
- Deodorants (except personal) wholesaling
- Detergents wholesaling
- Dogs Wholesaling
- Dressed furs and skins wholesaling
- Drilling muds wholesaling
- Dry ice wholesaling
- Dyes, industrial, wholesaling
- Dyestuffs wholesaling
- Explosives (except ammunition, fireworks) wholesaling
- Feathers wholesaling
- Feed additives wholesaling
- Fermented malt beverages wholesaling
- Fertilizer and fertilizer materials wholesaling
- Fiber cans and drums wholesaling
- Fish (except canned, packaged frozen) wholesaling
- Flavoring extracts (except for fountain use) wholesaling
- Fresh fish wholesaling
- Fresh meats wholesaling
- Fresh poultry wholesaling
- Fresh seafood wholesaling
- Frozen fish (except packaged) wholesaling
- Fuel oil bulk stations and terminals
- Fuel oil truck jobbers
- Fuel oil wholesaling (except bulk stations, terminals)
- Furs, raw, wholesaling
- Garden supplies, (e.g., fertilizers, pesticides) wholesaling
- Gases, compressed and liquefied (except liquefied petroleum gas), wholesaling gasoline bulk stations and terminals
- Gasoline wholesaling (except bulk stations, terminals)
- Grain elevators wholesaling grain
- Grain wholesaling
- Greases, inedible animal and vegetable, wholesaling
- Gum and wood chemicals wholesaling
- Hogs wholesaling
- Hop extracts wholesaling
- Hops wholesaling
- Horses wholesaling
- Industrial chemicals wholesaling
- Industrial gases wholesaling
- Industrial salt wholesaling
- Ink, writing, wholesaling
- Inorganic chemicals wholesaling

- Janitorial chemicals wholesaling
- Lacquers wholesaling
- Laundry soap, chips, and powder, wholesaling
- Lime, agricultural, wholesaling
- Liquefied gases (except LP) wholesaling
- Liquefied petroleum gas (LPG) bulk stations and terminals
- Liquefied petroleum gas (LPG) wholesaling (except bulk stations, terminals)
- Liquors wholesaling
- Livestock (except horses, mules) wholesaling
- Livestock auction markets (except horses, mules)
- Livestock auction markets, horses and mules
- Livestock feeds wholesaling
- Livestock, horses and mules, wholesaling
- Lubricating oils and greases bulk stations and terminals
- Lubricating oils and greases wholesaling (except bulk stations, terminals)
- Meats and meat products (except canned, packaged frozen) wholesaling
- Meats, cured or smoked, wholesaling
- Meats, fresh, wholesaling
- Mineral supplements, animal, wholesaling
- Mulch wholesaling
- Oil additives wholesaling
- Oil drilling muds wholesaling
- Oil kernels wholesaling
- Oil nuts wholesaling
- Oil, petroleum, bulk station and terminals
- Oil, petroleum, wholesaling (except bulk stations, terminals)
- Oils, cooking and salad, wholesaling
- Oils, inedible, animal or vegetable, wholesaling
- Oilseed cake and meal wholesaling
- Oilseeds wholesaling
- Organic chemicals wholesaling
- Pesticides (except agricultural) wholesaling
- Pesticides, agricultural wholesaling
- Pet supplies (except pet foods) wholesaling
- Petroleum and petroleum products bulk station and terminals
- Petroleum and petroleum products wholesaling (except bulk stations, terminals)
- Petroleum brokers
- Pipe tobacco wholesaling
- Polishes (e.g., automobile, furniture, metal, shoe, stove) wholesaling
- Poultry and poultry products (except canned, packaged frozen) wholesaling
- Poultry, live and dressed, wholesaling
- Poultry, packaged frozen, wholesaling
- Processed meats (e.g., luncheon, sausage) wholesaling
- Processed poultry (e.g., luncheon) wholesaling
- Propane bulk stations and terminals
- Remnants, piece goods, wholesaling
- Resins, plastics, wholesaling
- Resins, synthetic rubber, wholesaling
- Rosins wholesaling
- Rubber, crude wholesaling

LBCS - 7110 - Building, developing, and general contracting

- Establishments in this subcategory are responsible for the entire construction (i.e., new work, addition, alteration, and repair) of building projects. Construction work may be for others, or for the establishment as a speculative or operative builder. Establishments include custom builders, design builders, engineer-constructors, general contractors, joint-venture

contractors, turnkey contractors, developers, land subdivides, and construction management firms.

**LBCS - 7130 - Industrial, commercial and institutional building construction**

- Establishments in this subcategory construct industrial, commercial, and institutional buildings (e.g., plants, mills, factories, stores, schools, hospitals, office buildings, public warehouses).

**LBCS - 7210 - Building equipment and machinery installation contractors**

- These establishments: (1) install or dismantle building equipment, machinery or other industrial equipment (except plumbing, heating, air conditioning or electrical equipment); (2) provide machine rigging; and (3) provide mill writing. Equipment installed includes automated and revolving doors, conveyor systems, dumbwaiters, dust collecting equipment, elevators, small incinerators, pneumatic tubes systems, and built-in vacuum cleaning systems.

**LBCS - 7220 - Excavation contractor**

- These establishments prepare land for building construction. Activities they perform include shaft drilling, foundation digging, foundation drilling, and grading.

**LBCS - 7230 - Water well drilling contractor**

- Water well drilling contractors drill, tap, and cap water wells, and provide geothermal drilling.

**LBCS - 7240 - Wrecking and demolition establishment**

- These establishments provide wrecking and demolition of buildings and structures; this includes underground tank removal and the dismantling of non-hazardous steel oil tanks. Some of these establishments may sell materials derived from demolishing operations.

**LBCS - 7250 - Structural steel erection contractor**

- Structural steel erection contractors: (1) erect metal, structural steel, and similar products of prestressed or precast concrete to produce structural elements, building exteriors, and elevator fronts; (2) set rods, bars, rebar, mesh, and cages, to reinforce poured-in-place concrete; and (3) erect cooling towers and metal storage tanks.

**LBCS - 7320 - Concrete contractor**

- Concrete contractors use concrete and asphalt to produce parking areas, building foundations, structures, and retaining walls; and use of all materials to produce patios, private driveways, and private walks. Activities performed by these establishments include grout and shotcrete work.

**LBCS - 7410 - Highway and street construction;**

- These establishments are responsible for unleavened highway, street, road, or airport runway construction. Included are subcontractors for highway and street construction (e.g., highway grading installation, guardrail installation, and public sidewalk construction).

**LBCS -7420 - Bridge and tunnel construction**

- These establishments are responsible for bridge, viaduct, elevated highway, and tunnel construction.

**LBCS - 7430 - Water, sewer, and pipeline construction**

- These establishments are responsible for the construction of water mains, sewers, drains, gas mains, natural gas pumping stations, and gas and oil pipelines. Also included are well drilling contractors that drill, tap, and cap water wells, or that provide geothermal drilling.

**LBCS - 7440 - Power lines, communication and transmission lines**

- These establishments are responsible for the construction of electric power and communication transmission lines and towers, radio and television towers, cable laying, and cable television lines.

**LBCS - 7450 - Industrial and other nonbuilding construction**

- These establishments are responsible for the construction of heavy industrial and other nonbuilding structures not included elsewhere, such as chemical complexes or facilities, cement plants, petroleum refineries, industrial incinerators, ovens, kilns, power plants, and nuclear reactor containment structures; athletic fields, dams, dikes, docks, drainage projects, golf courses, harbors, parks, reservoirs, canals, sewage treatment plants, water treatment plants, hydroelectric plants, subways, and other mass transit projects. Establishments may provide construction equipment rental with an operator.

**LBCS - 9220 - Spraying, dusting, and other related services**

- These establishments perform crop protecting services, soil preparation activity, or crop production services. Activities include dusting, spraying, plowing, fertilizing, seed bed preparation, planting, and cultivating.

**Sec. 100-30 Development Standards**

Dimensional Development Standards shall be in accordance with Table 100-2.

**Sec. 100-40 Performance Standards**

All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards.

**A. Vibration**

No industrial use may cause continuous earth-born vibrations at any residential district boundary.

**B. Dust, Smoke, and Particulate Matter**

Dust, smoke or particulate matter shall not be a nuisance or endanger the public health, safety, general welfare, comfort, or cause injury to property.

Dust, smoke, particulate matter, and similar airborne material shall be subject to the standards and regulations of the Indiana Department of Environmental Management.

**C. Noxious Matter**

No use or structure shall discharge across the lot lines, noxious, toxic, or corrosive matter, fumes or gases in such a concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.

**D. Odor**

No use or structure shall emit odor across lot lines in such quantities as to be readily detectable at any point along the lot line. No odor shall be permitted to be detrimental to or endanger the public health, safety and welfare or cause injury to persons or property.

**E. Noise**

Noise levels in accordance with Table 100-3. Noise Level Permitted shall be as follows:

1. "Daytime" for non-stationary sources means 6 a.m. to 11 p.m.
2. "Nighttime" for non-stationary sources shall mean 11 p.m. to 6 a.m.
3. "Daytime" for fixed sources shall mean 7 a.m. to 9 p.m.
4. "Nighttime" for fixed sources shall mean 9 p.m. to 7 a.m.

**F. Heat, Glare or Lighting**

No use shall produce heat or glare creating a hazard perceptible from any point beyond any lot line. Lighting shall not cause a nuisance due to light trespass, spill, glare, reflected glare or visual discomfort regardless of standards of illumination and shall be in conformance with the zoning. Outdoor lighting shall conform to Division 190: Lighting Regulations of this zoning ordinance.

**G. Waste Matter**

No use shall accumulate within the lot or discharge beyond any lot line, any waste matter, whether liquid gas or solid, in violation of the applicable standards and regulations of the Clark County Health Department, or the Indiana Department of Environmental Management of the State of Indiana, or in such a manner as to be a nuisance or endanger the public health, safety or welfare or cause injury to property.

**H. Fire Hazards**

Solid substances ranging from free or active burning to intense burning may be stored, used, or manufactured only within completely enclosed buildings having incombustible exterior walls; and protected throughout by an automatic fire extinguishing system.

**Table 100-2 Development Standards**

Dimension	Measurement
Minimum lot area	One acre
Minimum lot width	100 feet
Maximum lot coverage	50%
Minimum depth of front yard	40 feet
Minimum depth of rear yard	40 feet
Minimum width of each side yard	20 feet
Maximum height	50 feet

**Table 100-3 - Noise Level Permitted in Decibels**

Zones	Time of Day	
	Daytime	Nighttime
Residential	72	62
Business	78	70

The storage, utilization or manufacture of flammable liquids or materials, which produce explosion, flammable vapors or gases, shall be permitted in accordance with the rules and regulations of the Indiana Department of Homeland Security, stating that the plans and specifications for a heavy or general industrial use comply with the rules and regulations of the Indiana Department of Homeland Security shall accompany the application for an “Improvement Location Permit”.

“Free burning”, means a rate of combustion described by a substance that burns actively and easily supports combustion.

“Intense burning”, means a rate of combustion described by a substance that burns with a high degree of activity and is consumed rapidly.

**I. Detonation Materials**

No activity involving the sale, storage, use or manufacture of materials that decompose by detonation, including fireworks may be carried on except in accordance with the stricter of the rules issued by the Indiana Department of Homeland Security or this zoning ordinance.

These materials include primary explosives such as lead oxide, lead styphnate, fulminates, and tetracene; high explosives such as TNT, RDX HNY, PETN, and picric acid; propellants, fireworks and their components, such as dry nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles, and ozonides; strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than 35 percent; and nuclear fuels, fissionable materials and products, and reactor elements such as uranium 235 and plutonium 239.

**Sec. 100-50      Fireworks**

Warehousing or storing, or sale whether wholesale or retail sale of any fireworks, novelties, or trick noisemakers other than those approved in IC 22-11-14-8 as may be amended, are prohibited in all zone districts except the I-1 or I-2 districts. Additionally, in these districts, the wholesale or retail activities shall be separated by 600 feet as measured by the nearest property line.

CONTENT

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**Sec. 105-10 Specific Purpose**

This district includes the full range of manufacturing, wholesaling, and warehousing uses in an urban area. It includes uses that are difficult to screen and buffer from non-industrial uses and that have operations that cannot normally be enclosed within a building.

**Sec. 105-20 Use Classification**

I-2 uses shall be in accordance with Table 105-1, Land Use Classification.

**Table 105-1 Land-Use Classification**

Uses Permitted by Right
Any use permitted by right in the I-1 District
LBCS - 3110 - Food and beverages - Except the following to be approved by Special Exception <ul style="list-style-type: none"> <li>➤ Bacon, slab and sliced, made from purchased carcasses</li> <li>➤ Bacon, slab and sliced, produced in slaughtering plants</li> <li>➤ Beef carcasses, half carcasses, primal and sub-primal cuts, produced in slaughtering plants</li> <li>➤ Beef produced in slaughtering plants</li> <li>➤ Beef stew made from purchased carcasses</li> <li>➤ Beef, primal and Sub-primal cuts, made from purchased carcasses</li> <li>➤ Boxed beef made from purchased carcasses</li> <li>➤ Boxed beef produced in slaughtering plants</li> <li>➤ Boxed meats produced in slaughtering plants</li> <li>➤ Canned meats (except poultry) produced in slaughtering plants</li> <li>➤ Cannery, fish</li> <li>➤ Cannery, shellfish</li> <li>➤ Canning poultry (except baby and pet food)</li> <li>➤ Canning, fish, crustacea, and molluscs</li> <li>➤ Cured hides and skins produced in slaughtering plants</li> <li>➤ Ducks, slaughtering and dressing</li> <li>➤ Fats, animal (except poultry, small game), produced in slaughtering plants</li> <li>➤ Fats, animal, rendering</li> <li>➤ Fish and marine animal oils produced in a cannery</li> <li>➤ Fish and seafood chowder canning</li> <li>➤ Fish egg bait canning</li> <li>➤ Fish food for feeding fish manufacturing</li> <li>➤ Fish freezing (e.g., blocks, fillets, ready-to-serve products)</li> <li>➤ Fish meal produced in a cannery</li> <li>➤ Fish meal produced in a fresh and frozen seafood plant</li> <li>➤ Fish, canned and cured, manufacturing</li> <li>➤ Fish, curing, drying, pickling, salting, and smoking</li> <li>➤ Fish, fresh or frozen, manufacturing</li> <li>➤ Fish, fresh prepared, manufacturing</li> <li>➤ Geese, processing, fresh, frozen, canned, or cooked</li> <li>➤ Geese, slaughtering and dressing</li> <li>➤ Pork carcasses, half carcasses, and primal and sub-primal cuts produced in slaughtering plants</li> <li>➤ Pork, primal and sub-primal cuts, made from purchased carcasses</li> </ul>

- Poultry (e.g., canned, cooked, fresh, frozen)
- Poultry (e.g. canned, cooked, fresh, frozen) processing
- Poultry canning (except baby, pet food)
- Poultry slaughtering, dressing, and packing
- Processed poultry manufacturing
- Rabbits slaughtering and dressing
- Rendering animals (carrion) for feed
- Rendering fats
- Rendering plants
- Salter meats made from purchased carcasses
- Sauerkraut manufacturing
- Sausage and similar cased products made from purchased carcasses
- Sausage casings, collagen, made from purchased hides
- Sausage casings, natural, produced in slaughtering plant
- Seafood and seafood products canning
- Seafood and seafood products curing
- Seafood dinners, frozen, manufacturing
- Seafood products, fresh prepared, manufacturing
- Seafood products, frozen, manufacturing
- Seafood, fresh prepared, manufacturing
- Seasoning salt manufacturing
- Seaweed process (e.g., dulse)
- Shellfish and shellfish products canning
- shellfish curing
- Shellfish products, fresh prepared, manufacturing
- Shellfish products, frozen, manufacturing
- Shellfish, fresh prepared, manufacturing
- Shellfish, frozen, manufacturing
- Slaughtering, custom
- Small game, processing, fresh, frozen, canned or cooked
- Small game, slaughtering, dressing and packing
- Smoked meats made from purchased carcasses
- Soups, frozen, fish and shellfish, manufacturing
- Stearin, animal, rendering
- Tallow produced in a slaughtering plant
- Tallow produced in rendering plant
- Turkey feeds, prepared, manufacturing
- Turkeys, processing, fresh, frozen, canned, or cooked
- Turkeys, slaughtering and dressing
- Variety meats, edible organs made from purchased meats
- Variety meats, edible organs, made in slaughtering plants
- Veal carcasses, half carcasses, primal and sub-primal cuts, produced in slaughtering plants
- Veals, primal and sub-primal cuts, made from purchased carcasses
- Vegetable bringing
- Vegetable canning
- Vegetable flour manufacturing
- Vegetable flour, meal, and powders, made in flour mills
- Vegetable juice concentrates, frozen, manufacturing
- Vegetable juices canning
- Vegetable juices, fresh, manufacturing

- Vegetable oils (except soybean) made in crushing mills
- Vegetable oils made from purchased oils
- Vegetable starches manufacturing
- Vegetable table dehydrating
- Vegetable pickling
- Vegetable, cut or peeled, fresh, manufacturing
- Vinegar manufacturing
- Wet milling corn and other vegetables\

LBCS - 3120 - Tobacco manufacturing establishment

LBCS - 3130 - Textiles

LBCS - 3140 - Leather & allied products

LBCS - 3120 - Wood products establishment

LBCS - 3220 - Paper and printing materials - Except the following to be approved by Special Exception

- Asphalt paper made in paper mills
- Groundwood paper, coated laminated, or treated in paper mills
- Groundwood paper, coated, made in paper mills
- Groundwood paper, newsprint, made in paper mills
- Groundwood pulp manufacturing
- Molded pulp products, (e.g., egg cartons, food containers, food trays) manufacturing
- Newsprint mills
- Office paper (e.g., computer printer, photocopy, plain paper) mad in paper mills
- Paper (except newsprint, uncoated groundwood) manufacturing
- Paper (except newsprint, uncoated groundwood) products made in paper mills
- Paper (except newsprint, uncoated groundwood) coated, laminated or treated, made in paper mills
- Paper mills (except newsprint, uncoated groundwood paper mills)
- Paper mills, newsprint
- Paper mills, uncoated groundwood
- Pulp and newsprint combined manufacturing
- Pulp and paper (except groundwood, newsprint) combined manufacturing
- Pulp and paperboard combined manufacturing
- Pulp manufacturing (i.e., chemical, mechanical, or semi chemical processes) without making paper
- Pulp manufacturing (made from bagasse, linters, rags, straw, wastepaper, or wood) without making paper
- Pulp mills and groundwood paper, uncoated and untreated, manufacturing
- Pulp mills not making paper or paperboard
- Pulp mills producing paper (except groundwood, newsprint)
- Pulp mills producing paperboard
- Pulp products, molded, manufacturing
- Sanitary products made in paper mills
- Saturated felts made in paper mills
- Sheathing paper (except newsprint, uncoated groundwood) made in paper mills
- Tar paper, building and roofing, made in paper mills
- Toilet paper made in paper mills
- Towels, paper, made in paper mills
- Uncoated groundwood paper mills
- Wet machine board mills
- Wood pulp manufacturing

LBCS - 3230 - Furniture and related products

LBCS - 3360 - Electrical equipment, appliance, and components manufacturing - Except the following to be approved by Special Exception

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➤ Atom smashers, (i.e., particle accelerators) manufacturing
LBCS - 3370 - Transportation equipment, automobiles, etc
LBCS - 3400 - Miscellaneous manufacturing
LBCS - 3410 - Jewelry and silverware
LBCS - 3420 - Dolls, toys, games, and musical instruments
LBCS - 3430 - Office supplies, inks, etc
LBCS - 3440 - Signs
LBCS - 3510 - Durable goods - Except the following to be approved by Special Exception
➤ Metal scrap and waste wholesaling
➤ Metallic concentrates wholesaling
➤ Metals, ferrous and nonferrous, wholesaling
➤ Metals, precious, wholesaling
➤ Metalworking machinery and equipment wholesaling
➤ Military vehicles (except trucks) wholesaling
➤ Mill supplies wholesaling\Millwork wholesaling
➤ Minerals (except construction materials, petroleum) wholesaling
➤ Mining machinery and equipment (except petroleum) wholesaling
➤ Mining machinery and equipment, petroleum, wholesaling
➤ Molding (e.g., sheet metal, wood) wholesaling
➤ Motor vehicle parts, used, wholesaling
➤ Oil, waste, wholesaling
➤ Ordinance and accessories wholesaling
➤ Ore concentrates wholesaling
➤ Ores (e.g., gold, iron, lead, silver, zinc) wholesaling
➤ Paper and pulp industries manufacturing machinery wholesaling
➤ Paper, scrap, wholesaling
➤ Plastics scrap wholesaling
➤ Pulpwood wholesaling
➤ Reconditioned barrels and drums wholesaling
➤ Recyclable materials (e.g., glass, metal, paper) wholesaling
➤ Rubber scrap and scrap tires wholesaling
➤ Sand (except industrial), wholesaling
➤ Sand, industrial, wholesaling
➤ Sawmill machinery, equipment, and supplies wholesaling
➤ Scrap materials wholesaling
➤ Semi-finished metal products wholesaling
➤ Sheet metal roofing materials wholesaling
➤ Shipping containers (except disposable plastics, paper) wholesaling
➤ Shipping pails, metal wholesaling
➤ Ships wholesaling
➤ Smelting machinery and equipment wholesaling
➤ Snow plows wholesaling
➤ Snowblowers (except household-type) wholesaling
➤ Stone, building or crushed, wholesaling
➤ Tarred felts wholesaling
➤ Textile waste wholesaling
➤ Tire recapping machinery wholesaling
➤ Tires, scrap, wholesaling
➤ Tires, used (except scrap), wholesaling
➤ Waste materials wholesaling
➤ Wood products (e.g., chips, post, shavings, ties) wholesaling

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LBCS - 3520 - Nondurable goods

Approved as a Special Exception by the Board of Zoning Appeals

Special exceptions and conditional uses are located in Division 150

**Sec. 105-30 Development Standards**

**Table 105-2 - Development Standards**

Dimension	Measurement
Minimum lot area	One acre
Minimum lot width	200 feet
Maximum lot coverage	Not more than 50%
Minimum depth of front yard	40 feet The required front yard, shall be landscaped, and vision clearance observed at corners and driveways.
Minimum depth of rear yard	50 feet
Minimum width of each side yard	40 feet
Front Yard	50 feet
Maximum height, inclusive of smoke stacks and any roof mounted equipment	75 feet

**A. Smoke**

No heavy industrial use may emit more than sixty smoke units per hour per stack, or smoke in excess of Ringelmann No. 2. However, once during any 6-hour period, for soot blowing, process purging and fire cleaning, each stack shall be permitted additional ten smoke units and during that time it may emit smoke up to and including Ringelmann No. 3.

"Ringelmann number" means the number of the area on the Ringelmann chart that most nearly matches the light-obscuring capacity of smoke. The Ringelmann chart is described in the U.S. Bureau of Mines Information Circular 6888; as may be amended or updated, or replaced on which are illustrated graduated shades of gray for use in estimating smoke density. Smoke below the density of Ringelmann No. 1 shall be considered as no smoke or Ringelmann No. 0, and "smoke unit" means the number obtained when the smoke density in Ringelmann number is multiplied by the time of emission in minutes. For the purpose of this calculation, a Ringelmann density reading shall be made at least once a minute during the period of observation. Each reading shall then be multiplied by the time in minutes during which it is observed. The products so computed shall then be added to give the total number of smoke units observed during the entire observation period.

**Table 105-3 Emission Height Allowances**

Height of Emission Above Grade (ft.)	Correction for Light Industrial Use (pounds per hour per acre)	Correction for General Industrial Use (pounds per hour per acre)
50'	0.01	0.02
100'	0.06	0.12
150'	0.10	0.20
200'	0.16	0.32
300'	0.30	0.60
400'	0.50	1.00
500' and above	0.50	1.50

**B. Particulate Matter**

**1. Emission Rate**

The rate of emission of particulate matter from all sources within the boundaries of any lot may not exceed a net figure of three pounds per hour per acre for a general industrial use, of which no more than ten percent by weight may be particles larger than 44 microns (325 mesh).

**2. Emission Height**

The allowance for height of emission is found in the table (interpolate for intermediate values):

Height of Emission Standards shall be in accordance with Table 105-3.

**3. Emission Velocity**

The allowance for velocity of emission is in accordance with Table 105-3 (interpolate for intermediate values):

**C. Other Particulate Pollutants**

Dust and other kinds of air pollution that are borne by the wind from such sources within lot boundaries as storage areas, yards, and roads shall be kept to a minimum by appropriate landscaping, paving, oiling, fencing, or other means.

As used in this subsection, the term "particulate matter" means divided liquid or solid material that is discharged and carried along in the air.

**D. Odor**

No general industrial use or any use in this district may release an unreasonably objectionable odor, that is detectable at any point beyond the lot line so as to be a nuisance or detrimental to or endanger the public health, safety and welfare or cause injury to property

**E. Toxic Materials**

**Table 105-4 Emission Velocity Allowances**

Exit Velocity Up General (feet per second)	Correction for Light Industrial Use (pounds per hour per acre)	Correction for Industrial Use (pounds per hour per acre)
0'	0	0
20'	0.03	0.06
40'	0.09	0.18
60'	0.16	0.32
80'	0.24	0.48
100' and above	0.50	1.00

The emission of toxic and nontoxic materials may not produce any concentration at a residence or business district boundary line exceeding 30 percent of the threshold limit values for toxic materials in industry as set forth in "Threshold Limit Values" for the current year, as adopted at the annual meeting of the American Conference of Governmental Industrial Hygienists.

**F. Glare and Heat**

No heavy industrial use or any use in this district may cause heat at the lot line so intense as to be a public nuisance or hazard. No use may cause illumination at or beyond any residence district boundary in excess of 0.1-foot candle.

No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines. Lighting shall not be permitted to cause a nuisance due to light trespass, spill or glare or reflected glare or visual discomfort regardless of standards of the Illumination

**G. Foot Candle**

As used in this subsection, the term "foot candle" means a unit of illumination equal to the illumination at all points that are one foot from a uniform point source of one candle-power.

H. **Vibration**

No heavy industrial use may cause at any business or industrial district boundary continuous earth-born vibrations higher than the limits set forth in column I of Table 105-4. Nor may in the cause at any agricultural or residential district boundary continuous earth-born vibrations higher than the limits set forth in column II.

Discrete pulses that do not exceed one hundred impulses per minute may not produce higher than twice the displacement specified in Table 105-4.

"Resultant displacement" means the maximum amount of motion in any direction as determined by any three-component measuring system (a simultaneous measuring system approved by the commission).

"Three-component measuring system" means instrumentation that can measure earth-born vibrations in a horizontal as well as a vertical plane.

I. **Noise**

At no boundary, of a residence or business district may the sound pressure of any heavy industrial use (except for background noises produced by sources, not under control of this Ordinance, such as the operation of motor vehicles or other transportation facilities) exceed Table 105-5, Decibel Limits.

The prescribed limits of column I apply between 8:00 am. and 6:00 p.m. At other times, the

**Table 105- 4. Maximum Permitted Vibrations**

Frequency (cycle per second)		I	II
More Than	But Not More Than	Displacement (inches)	Displacement (inches)
0	10	.0020"	.0004"
10	20	.0010"	.0002"
20	30	.0006"	.0001"
30	40	.0004"	.0001"
40	50	.0003"	.0001"
50	*	.0002"	.0001"

**Table 105-5 Decibel Limits**

Octave Band Frequency (cycle per second)	I Maximum Permitted Sound Levels (in decibels)		II Maximum Permitted Sound Levels (in decibels)
	More Than	But Not More Than	Along Businesses District Boundaries
20	75	72	79
75	150	67	74
150	300	59	66
300	600	52	59
600	1200	46	53
1200	2400	40	47
2400	4800	34	41
4800	-----	32	39

allowable levels in each octave band are each reduced by six decibels.

J. **Fire Hazards**

Solid substances ranging from free or active burning to intense burning may be stored, used or manufactured only within completely enclosed buildings having incombustible exterior walls; and protected throughout by an automatic fire extinguishing system.

The storage, utilization or manufacture of flammable liquids or materials, which produce explosion, flammable vapors or gases, shall be permitted in accordance with the rules and regulations of the Indiana Department of Homeland Security. A certificate of compliance, issued by the Indiana Department of Homeland Security Office, stating that the plans and specifications for a heavy or general industrial use comply with the rules and regulations of the Indiana Department of Homeland Security shall

accompany the application for an Improvement Location Permit.

"Free burning" means a rate of combustion described by a substance that burns actively and easily supports combustion.

\*Intense burning" means a rate of combustion described by a substance that burns with a high degree of activity and is consumed rapidly.

**K. Detonation Materials**

No activity involving the sale, storage, use or manufacture of materials that decompose by detonation, including fireworks, may be carried on except in accordance with the stricter of the rules issued by the State Department of Homeland Security or this zoning ordinance whichever is the most restrictive.

These materials include primary explosives such as lead axile, lead styphnate, fulminates, and tetracene; high explosives such as TNT, RDX HMY, PETN, and picric acid; propellants, fireworks and their components, such as dry nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles, and ozonides; strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than thirty-five percent; and nuclear fuels, fissionable materials and products, and reactor elements such as uranium 235 and plutonium 239.

**L. Fireworks**

Warehousing or storing, or sale whether wholesale or retail sale of any fireworks, novelties, or trick noisemakers that comply with Indiana Code 22-11-14 and the OSHA Safety Guidelines for retails sales of consumer fireworks are permitted, unless requirements of town ordinance are more restrictive.