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Sec. 10-10 **Short Title**

This ordinance shall be known and cited as "The Town of Clarksville Zoning Ordinance" of Clarksville, Indiana.

Sec. 10-20 **Specific Purpose**

The purposes of this zoning ordinance are to:

- A. Secure adequate light, air, convenience of access, and safety from fire, flood, and other danger
- B. Lessen or avoid congestion in public ways
- C. Support the public's health, safety, comfort, morals, convenience, and general welfare and quality of life
- D. Assure the compatibility and maintenance of the essential neighborhood character through aesthetics and physical improvements
- E. Otherwise accomplish the purposes of the Comprehensive Plan.

Sec. 10-30 **Compliance with Zoning Code**

No building, structure, land, use, or part thereof, shall be located, erected, constructed, reconstructed, moved, converted or enlarged; nor shall any land, use, building, structure, or part thereof be used or designed to be used, except in full compliance with all provisions of this ordinance and after lawful issuance of permits required by this ordinance.

Sec. 10-40 **Authorization**

This ordinance is adopted pursuant to Public Law 309, Acts of 1981 of the General Assembly of Indiana, and all acts supplemental and amendatory thereto.

Sec. 10-50 Applicability to Private Property

This ordinance applies to land within the incorporated Town of Clarksville in which planning and zoning jurisdiction is exercised.

Sec. 10-60 Applicability to Submerged Lands

This zoning ordinance applies to any land within the town, including any land permanently or temporarily submerged under water of any type.

Sec. 10-70 Applicability to Redevelopment Areas

This zoning ordinance applies to any use, building, land, or structure, within an economic development area, redevelopment area, or other specially designated area within the Town.

Sec. 10-80 Effect of Future Rights-of-Way

Future rights-of-way designations or road construction shall have no effect on this zoning ordinance.

Sec. 10-90 Minimum Requirements

This zoning ordinance shall be considered the minimum requirements regulating any use, land, building, or structure within the Town.

In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements, adopted for the promotion of public health, morals, aesthetics, safety, and the general welfare of the community. Whenever the requirements thereof are at variance with the requirements of any lawfully adopted rules, regulations, or ordinance, the most restrictive, or that imposing the higher standards, shall govern.

Sec. 10-100 Interpretation Appeals

Other than as described below, it is the intent of this ordinance that all questions of interpretation shall be first presented to the Planning Director. Appeal of a staff decision interpreting this ordinance may be presented to the Board of Zoning Appeals in compliance with Article 5 Division 225 and this Division 10.

Sec. 10-110 Rules for Interpretation of Zoning Map**A. Zoning Map Incorporated by Reference**

1. The zoning map is hereby declared a part of this zoning ordinance and indicates the districts and boundaries into which the planning jurisdiction is divided.
2. Notations, references, indications, and other matters shown on the zone map, or a field of the GIS zone map, are as much a part of this zoning ordinance, as if they were fully described herein.

B. Interpretation of Zoning District Boundaries

Where uncertainty exists as to the zoning boundaries of districts as shown on the zone map, the following rules shall apply:

1. Centerlines of Streets and Boundaries

Unless otherwise indicated, the district boundary lines are the centerlines of streets, parkways, alleys, public ways, or railroad rights-of-way, streams and rivers.

2. Existing Lines

- a. Boundaries indicated, as approximately following township lines, grant lines, section lines, half-section and quarter-section lines, municipal, corporate limit lines, or platted lot lines shall be construed as following such lines.
- b. Except for the shoreline of the Ohio River, boundaries indicated on the zoning map as following a shoreline of a water body shall be construed to follow such shorelines. In the event of a change in the shorelines, boundaries shall be construed as moving with the actual shorelines. Except for the Ohio River, boundaries indicated as approximately following the centerlines of streams, creeks, lakes, or other bodies of water shall be construed to follow such centerlines.
- c. The boundary of the Ohio River is the low water mark on the northerly side of the Ohio River, as it existed in 1792 as established on January 21, 1980, by the Supreme Court of the United States. (OHIO v. KENTUCKY, 444 U.S. 335 [1980]).

3. Use of Scale on Zone Map

- a. In an un-subdivided area where a district boundary divides a lot or parcel, the exact location of the boundary shall be determined by use of the GIS mapping of the Town of Clarksville.
- b. Boundaries indicated as parallel to, or extensions of features indicated on the zoning map, shall be so construed. The scale of the GIS map shall determine distances not specifically indicated on the zone map.

4. Board of Zoning Appeals May Determine

- a. Where physical or natural features existing on the ground are at variance with those shown on the GIS zone map, or in other circumstances not covered herein, the Board of Zoning Appeals shall interpret the district boundaries.
- b. Where a district boundary line divides a lot at the time of adoption of the zoning ordinance, Town staff shall interpret the applicable regulations for either portion of the lot, subject to appeal to the Board of Zoning Appeals.

5. Vacations and Relocation

The vacation or relocation of right-of-way and lot lines shall not affect the location of district boundaries; provided, however, whenever proper authority vacates any right-of-way, the districts adjoining each side of such vacation shall be extended automatically to the center of such vacation. All areas included in the vacation shall be subject to all regulations of the extended district.

6. Lines Splitting Lots or Parcels

Where a district boundary line divides a lot or parcel that was in single ownership at the time of adoption of the zoning ordinance, Planning Director shall interpret the applicable regulations for either portion of the lot, subject to appeal to the Board of Zoning Appeals.

C. Flood Insurance Maps

The flood plain districts, as identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Clarksville and County of Clark," along with accompanying Flood Insurance Rate Maps, Flood Boundary-Floodway Maps, and any subsequent revisions to the text or maps, are hereby adopted by reference and declared to be a part of this ordinance.

Sec. 10-120 Rules for Interpretation of Uses

In cases of any uncertainty, the interpretation of use shall be determined by the Plan Director and may be appealed to the Plan Commission based on Division 13 of this zoning ordinance.

Sec. 10-130 Rules for Interpretation of Procedures

Rules of interpretation of procedure shall be the responsibility of the Plan Commission staff.

Sec. 10-140 Rules for Interpretation of Parcels Split by Two or More Zoning Districts or Overlay Districts

Parcels split by two or more zoning districts shall be determined in the same manner as Section 10-130 - Rules for Interpretation and Procedures.

Sec. 10-150 Establishment of Zoning Districts

The Town is divided into the districts established by this ordinance as shown by district boundaries on the zoning maps, located in the Plan Commission office.

To accomplish the purposes of this ordinance, eighteen (18) zone districts have been established, and the territory within the jurisdiction of the Clarksville Advisory Plan Commission is in accordance with Table 10-1, Established Districts.

A. Application of District Regulations

The regulations set forth in this zoning ordinance within each district shall be the minimum regulations, and they shall apply uniformly to every kind of structure, use, function, activity, owner, site, or land except as may be provided by this zoning ordinance.

B. District Regulations Apply

No building, structure, or land shall be used or occupied, and no building or structure or part thereof shall be erected, constructed, moved, or structurally altered except in conformity with this zoning ordinance.

C. Lot Areas and Yards May Not Be Encroached Upon

No building or structure shall be erected, constructed, reconstructed, or altered in any manner which will encroach upon or reduce in any manner, the yards, lot area per building, ground floor area of a building, square footage of a building or structure, or lot coverage provisions established herein.

D. Yards are Separate

Except for off-street parking, legal driveways, or those subject to a shared parking agreement, no part of a required yard or other open space, off-street parking, or loading space in a B-1, B-2, MD, CLMU, EBCZ, GO, PUD, I-1, or I-2 zone district shall be included as part of a yard, open space, off-street parking, or loading space similarly required for any other building, use, or parcel.

E. No Reduction in Yards

No yard or lot existing at the time of passage of this zoning ordinance shall be reduced in dimension or area below the minimum requirements set forth in previously approved plats, unless vested by prior ordinance or action of the BZA, Plan Commission or Town Council. Yards or lots created after the effective date of this zoning ordinance shall meet at least the minimum requirements established by this zoning ordinance.

Table 10-1. Established Districts

<i>District Designation</i>	<i>District Type</i>
R-1	Single-Family Residence
R-2	Single- and Two-Family Residence
R-3	Single-, Two- & Multiple-Family Residence
MHP	Mobile Home Park
RPO	Residential/Professional Office
B-1	Local (Neighborhood) Business
B-2	General Business
AB	Adult Business
MD	Medical Zone
CLMU	Clarks Landing Mixed Use
EBCZ	Eastern Boulevard Corridor Zone
GO	General Office
VPCZ	Veterans Parkway Corridor Zone
OPS	Open Space
OTC	Old Town of Clarksville
PUD	Planned Unit Development
I-1	Light Industry
I-2	Heavy Industry

Sec. 10-160 Exclusive Control of Subdivisions

The Plan Commission has exclusive control over the approval of a subdivision plat, the re-plating of a subdivision, amendment of a plat, or waiver regarding subdivision requirements.

Except as provided elsewhere in this ordinance, a parcel of land platted or parcelized after the effective date of this zoning ordinance shall conform to the minimum lot area and lot width established by this zoning ordinance for the district in which it is located, and conform to all requirements set forth in the Subdivision Control Ordinance of the Town of Clarksville. In case of any conflict, the stricter of the two shall apply.

Subdivision of land meeting the definition in Division 15-20 – “Subdivision” is permitted in R-1, R-2, R-3, MHP, RPO, GO, B-1, B-2, MED, CLMU, EBCZ, VPCZ, PUD, I-1, and I-2 zone districts.

Sec. 10-170 One Principal Building or Use

There shall be only one principle building or use on a lot, unless otherwise specified in this ordinance.

Sec. 10-180 Rules for Interpretation of Language

Interpretation of language in this zoning ordinance shall be interpreted by the definitions in Division 15.

Sec. 10-190 Abbreviations

Abbreviations used throughout the Zoning Ordinance shall reference full titles in accordance with Table 10-2, Abbreviations.

Table 10-2. Abbreviations	
"AASHTO" (American Association of State Highway and Transportation Officials)	"ITE" (Institute of Transportation Engineers)
"ADA" (Americans with Disability Act)	"LOS" (Level of Service)
"ADAAG" (American Disability Act Accessibility Guidelines)	"LBSC" (Land Based Classification Standard)
"ADU" (Accessory Dwelling Unit)	"NAICS" (North American Industrial Classification System)
"ATM" (Automated Teller Machine)	"NCHRP" (National Cooperative Highway Research Program)
"ADT" (Average Daily Trips)	"NRCS" (National Resources Conservation Service)
"BZA" (Board of Zoning Appeals)	"PCA" (Primary Conservation Areas)
"CRI" (Color Rendering Index)	"POA" (Property Owners Association)
"DNR" (Department of Natural Resources)	"PUD" (Planned Unit Development)
"FAA" (Federal Aviation Administration)	"ROW" (Right of Way)
"FCC" (Federal Communication Commission)	"RV" (Recreational Vehicle)
"FP" (Flood Plain)	"SCA" (Secondary Conservation Areas)
"FPG" (Flood Protection Grade)	"SEC" (Section)
"FSSA" (Family Social Services Administration)	"SFHA" (Special Flood Hazard Area, Rule and Authority)
"GFA" (Gross Floor Area)	"SHPO" (State Historic Preservation Office)
"HVAC" (Heating, Ventilation, and Air Conditioning)	"TAZ" (Traffic Analysis Zone)
"IAC" (Indiana Administrative Code)	"TIA" (Traffic Impact Analysis)
"IC" (Indiana Code)	"TRC" (Technical Review Committee)
"IDEM" (Indiana Department of Environmental Management)	"USGS" (US Geological Survey)
"IES" (Illuminating Engineering Society of North America)	"VMT" (Vehicle Miles Traveled)
"ILP" (Improvement Location Permit)	"VPD" (Vehicles Per Day)

Sec. 10-200 Authority

Staff is authorized to take any action authorized under IC 36-7-4 et. Seq. to correct violations.

The Plan Commission is hereby authorized to perform those duties and functions specified in IC 36-7-4-400 et. Seq., and other applicable sections of Indiana law and such other responsibilities, as may be assigned to it from time-to-time by the Clarksville Town Council. The Plan Commission shall adopt written rules of procedure for the administration of the affairs of the Plan Commission and its staff for investigations and hearings.

The Board of Zoning Appeals is hereby authorized to perform those duties and functions specified in 36-7-4-900 et. Seq. and any other applicable sections of Indiana Law. The BZA shall adopt written rules of procedure pertaining to the administration and the conduct of hearings.

Sec. 10-210 Saving Provisions

This Ordinance shall not be construed as eliminating or reducing any action now pending under, or by virtue of, an existing law or previous zoning ordinance. Also, this Ordinance shall not be construed as discontinuing, reducing, modifying, or altering any penalty accruing or about to accrue.

A. Pending Action

This ordinance shall not be construed to abate any action pending at the time of adoption of this zoning ordinance.

B. Pending Penalty

This zoning ordinance shall not discontinue, abate, modify, or alter any penalty accruing or about to accrue.

C. Not Affect Liability

Except as shall be expressly provided herein, this ordinance shall not affect the liability of any person, firm, or corporation, or waive any right of the Town of Clarksville, under any section or provision existing at the time of the effective date of this zoning ordinance, nor shall it vacate or annul any rights obtained by any person, firm, or corporation by lawful action of the Town of Clarksville.

Sec. 10-220 Applicability to Prior Permits

Nothing herein contained shall require any change in the approved permit or plans for which a building permit has been issued or the following:

- A. Designation of a use of land or building
- B. Which has been diligently pursued within ninety (90) days of the date of such permit, and which entire building shall be completed according to such plans filed within twelve (12) consecutive months of such permit.
- C. Actual construction is hereby defined to include the erection of construction materials in a permanent position and fastened in a permanent manner.

Sec. 10-230 Repealer

Upon adoption of this ordinance, any zoning ordinances that may have been adopted or amended by the Clarksville Town Council are hereby repealed.

Sec. 10-240 Conflict with Other Regulations

All conflicts with the provisions of this ordinance with any local, state, or federal rule, ordinance, regulation, or statute shall be ruled in favor of the most stringent rule, ordinance, regulation, or statute.

Sec. 10-250 Relations to Private Agreements

It is not intended by this ordinance to interfere with, abrogate, or amend any existing easements, covenants, restrictions, vested rights, structures, or other agreements between parties; nor is it intended by this ordinance to repeal, abrogate, annul, or in any way interfere with any existing provisions of laws or ordinances not specifically repealed by this ordinance; or any rules, regulations, or permits previously adopted or issued pursuant to the law relating to the use of buildings, structures, or premises provided. However, provisions of this ordinance shall control when this ordinance imposes a greater restriction upon the use of buildings or premises than is imposed by existing provisions. This ordinance shall not affect valid private covenants.

Sec. 10-260 Applications of Zoning Regulations During Local Emergency

These zoning regulations may temporarily be suspended in the extraordinary event of an emergency declared by the Clarksville Town Council.

Sec. 10-270 Severability

If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional by any court, or otherwise invalid, the validity of the remaining section, subsection, and clauses shall not be affected thereby.

Sec. 10-280 Commitments

The Plan Commission or Board of Zoning Appeals may, in its sole discretion, require or permit written conditions or commitments in accordance with provision IC 36-7-4-1015. The written commitments or conditions shall be recordable and shall be signed by the owner(s).

Sec. 10-290 Annexed Area

Newly annexed areas will be zoned in compliance with IC 36-7-4-3, as may be amended.

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Sec. 13-10 **Specific Purpose**

The Land Based Classification Standards (LBCS)¹ & ² provides a consistent model for classifying land uses based on their characteristics. The LBCS recognizes and refines traditional categories into multiple dimensions: activity, function, structure type, site development characteristics, and ownership. Each dimension has its own set of categories and subcategories. Using these multiple dimensions provides a better understanding of land-use.

For purposes of this zoning ordinance, when there is a question regarding the interpretation of a land use, the LBCS function dimension will be used first, and then activity, structure type, site development characteristics, and ownership, respectively. A brief explanation of the dimensions follows.

Sec. 13-20 **Activity**

Activity refers to the actual use of land based on its observable characteristics. It describes what actually takes place in physical or observable terms (e.g., farming, shopping, manufacturing, vehicular movement, etc.). An office activity, for example, refers only to the physical activity on the premises, which could apply equally to a law firm, a nonprofit institution, a courthouse, a corporate office, or any other office use. Similarly, residential uses, in single-family dwellings, multifamily structures, manufactured houses, or any other type of building, would all be classified as a residential activity.

Sec. 13-30 **Function**

Function refers to the economic function or type of establishment using the land. Every land use can be characterized by the type of establishment it serves. Land-use terms, such as commercial and industrial relate to enterprises. The type of economic function served by the land use gets classified in this dimension; it is independent of actual activity on the land. Establishments can have a variety of activities on their premises, yet serve a single function. For example, two parcels may be in the same functional category if they belong to the same establishment, even if one is an office building and the other is a factory.

Sec. 13-40 **Structure**

Structure refers to the type of structure or building situated on the land. This structural or building characteristic suggests the utility of the space (in a building) or land (when there is no building). Land-use terms, such as a single-family house, office building, warehouse, hospital building, or highway, also describe structural characteristics. Although many activities and functions are closely associated with certain structures, it is not always so. Many buildings are often adapted for uses other than its original use. For instance, a single-family residential structure may be converted to an office.

Sec. 13-50 **Site Development Character**

Site development character refers to the overall physical development character of the land. It describes, “what is on the land” in general physical terms. For most land uses, it is simply expressed in terms of whether the site is developed or not. But not all

¹ American Planning Association, LBCS Project, 1999 <http://www.planning.org/lbcs>

² Disclaimer: This material is based upon work supported by various departments and agencies of the US Government in Agreement No. DTFH61-96-00017. Any opinions, findings, conclusions or recommendations expressed in this publication are those of the authors and do not necessarily reflect the views of the federal government.

sites without observable development can be treated as undeveloped. Land uses, such as parks and open spaces, which often have a complex mix of activities, functions, and structures on them, need categories independent of other dimensions. This dimension uses categories that describe the overall site development characteristics.

Sec. 13-60 Ownership

Ownership refers to the relationship between the use and its land rights. Since the function, of most land uses, is either public or private and not both, distinguishing ownership characteristics seems obvious. However, relying solely on the functional character may obscure such uses as private parks, public theaters, private stadiums, private prisons, and mixed public and private ownership. Moreover, easements and similar legal devices also limit or constrain land-use activities, and functions and this dimension allows classifying such ownership characteristics more accurately.

Sec. 13-70 Determination of Use

In the event, the use of a building or property cannot be determined by LBCS, the NASIC code shall be consulted and applied.

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Sec. 15-10 Rules of Interpretation

- A. Words in the present tense include the future tense.
- B. The singular includes the plural.
- C. The word "person" includes a corporation, as well as an individual.
- D. The words lot, land, plot, tract, or parcel have the same meaning.
- E. The term "shall" always means "mandatory."
- F. The word "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended," "arranged," or "designed" to be used or occupied.
- G. For the purpose of this ordinance, the following terms shall have the meaning indicated unless otherwise specifically stated in this ordinance.

Sec. 15-20 Definitions

ABUTTING PROPERTY OWNERS AND/OR INTERESTED PARTIES - Official owners of record as shown by the tax records of the Clark County Auditor whose property is contiguous to the subject property; and property which would touch at any point, the subject property ignoring all right-of-way, streets, easements, alleys, or any other public way.

ACCELERATION LANE - A paved auxiliary lane, including tapered areas, allowing vehicles to accelerate when entering the through traffic lane of the roadway.

ACCESS - The way over which traffic moves to or from a property to a street, road, or alley; and the way over which traffic moves to or from an arterial street/road to a collector street/road, or from a street/road to an alley.

ACCESS CLASSIFICATION - A ranking system for roadways used to determine the appropriate degree of access management. Factors considered include functional classification and Clarksville's plan for roadway, subdivision, and existing level of access control.

ACCESSIBLE ROUTE - A sidewalk, trail, path, or other pedestrian way meeting the requirements of American with Disabilities Act, as enforced by the US Department of Justice, Civil Rights Division, Disability Section.

ACCESS MANAGEMENT - The process of providing and managing access to land development while preserving the flow of traffic in terms of safety, function, capacity, and speed.

ACCESS MANAGEMENT PLAN (CORRIDOR) - A plan illustrating the design of access for lots on a roadway segment or an interchange area that may be or has been developed by state or federal government, Clark County, or Town of Clarksville.

ACCESSORY BUILDING OR STRUCTURE - A building or structure subordinate to another building or structure, the use of which is incidental to that of the dominant use of the principal building, structure or land; which is located on the same lot as the principal building or structure; which does not change or alter the character of the premises; and which is not used for human occupancy.

ACCESSORY DWELLING UNIT (ADU) - An attached or detached residential dwelling unit which provides complete, independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated.

ACCESSORY USE - A land use, which is clearly incidental to a principal use, is located on the same lot with the principal use, and does not change or alter the character of the premises.

ACCESS POINT - An intersection, driveway, or opening on the right-hand side of the roadway. An entry on the opposite side of the roadway or median opening can also be considered as an access point, if it is expected to influence traffic flow significantly in the direction of interest.

ACCESS POINT DENSITY - The total number of access points on the roadway is divided by the length of the roadway and then averaged over a minimum length of three miles. If the road is not three miles long, the default number of access points shall be eight.

ADEQUATE ACCESS - Any access connection or point meeting the access standards of this ordinance.

ADULT BUSINESS/ESTABLISHMENT - Any business regulated by Division 60 of this zoning ordinance. An establishment consisting of, including, or having the characteristics of any or all of the following:

1. Adult Bookstore - An establishment having as a substantial or a significant portion of its stock-in-trade books, magazines, DVD, publications, tapes, films, DVDs, or videos that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas.
2. Adult Cabaret - An establishment, including a restaurant, devoted to adult entertainment, either with or without a liquor license, presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas; featuring topless dancers, go-go dancers, strippers, male or female impersonators, or similar entertainment for observation by patrons.
3. Adult Massage - An establishment that practices the art of body massage, by hand or mechanical apparatus, oil rubs, corrective gymnastics, dietetics, hot packs, and mechanotherapy relating to sexual activities or anatomical genital areas.

ADULT BUSINESS GROSS PUBLIC FLOOR AREA - The total area of an adult business 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.

ADULT ENTERTAINMENT - See Adult Business/Establishment.

ADULT ESTABLISHMENT - Any business regulated by Division 60 of this zoning ordinance.

ADULT MEDIA - Magazines, books, videos, videotapes, DVDs, movies, slides, CD-ROMs or other devices used to record computer images, or other media that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to hard-core material (see page 15-9 for definition of hard-core material).

ADULT MEDIA SHOP/STORE - An establishment that rents and/or sells media and that meets any of the following three tests:

1. Twenty-five percent (25%) or more of the gross public floor area is devoted to adult media.
2. Twenty-five percent (25%) or more of the stock-in-trade consists of adult media.
3. It advertises or holds itself out in any forum as "XXX," "adult," "sex," or otherwise as a sexually oriented business describing, or relating to sexual activities or anatomical genital areas.

ADULT MOTION PICTURE THEATER - An establishment emphasizing or predominantly showing sexually oriented movies.

ALLEY - A public or private way which is other than a street, road, crosswalk, or easement; and which is not designed for general travel but is designed to provide only a secondary means of access to the side or rear of premises, where principal frontage is on some other street.

ANNUAL AVERAGE DAILY TRAFFIC - The total volume of traffic passing a point or segment of a highway facility in both directions for one (1) year divided by the number of days in the year.

ANTIQUE SHOP - A place offering antiques for sale. An antique, for purposes of this chapter, shall be a work of art, a piece of furniture, decorative object, or the like, of or belonging to the past, at least 40 years old. Thrift stores, rummageor yard sales, secondhand stores, and flea markets are not considered antique shops.

APARTMENT BUILDING - A building containing three (3) or more separate living units with private bath and kitchen facilities, comprising independent, self-contained dwellings, including units that are located one over the other.

APARTMENT COMPLEX - A group of inter-related apartment buildings with common parking and support facilities, such as laundry and/or recreational facilities.

APPEALS BOARD - The Clarksville Board of Zoning Appeals.

APPLICANT - The fee simple owner, an agent, or representative of land who submits an application to the Clarksville Planning Department for action by the Plan Commission or by the Clarksville Board of Zoning Appeals, thereby affecting that land.

ARCADE BOOTH - Any booth, cubicle, stall, or compartment that is designed, constructed, or used to hold or seat patrons and is used for presenting motion pictures or viewing publications by any photographic, electronic, magnetic, digital, or other means or media (including, but not limited to, film, video or magnetic tape, laser disc, CD-ROM, books, magazines, or periodicals) for observation by patrons therein. A video-viewing booth shall not mean a theater, movie house, playhouse, or a room or enclosure or portion thereof that contains more than six hundred (600) square feet.

AREA - The total area within lot lines.

AUTOMOBILE IMPOUNDMENT FACILITY SPACE - A facility or space, also known as a tow in lot, that provides temporary outdoor storage for vehicles that are to be claimed by titleholders or their agents.

AUTOMOBILE SALVAGE YARD - A place engaged in the business of acquiring or owning salvage automobiles for:

1. Resale in their entirety or as spare parts; or
2. Rebuilding, restoration, or crushing.

AUTOMOBILE SERVICE STATION - A building where gasoline (stored only in underground tanks), kerosene, lubricating oil or grease for operation of automobiles, trucks, or boats are offered for sale directly to the public on the premises, and including minor accessories and service, but not including such major repairs as, among others, any of the following: (a) spray painting; (b) body, fender, clutch, transmission, differential, axle, and frame repairs; (c) major overhauling of engine requiring removal therefrom of cylinder-head or crankcase pan; (d) repair of radiator requiring the removal of radiator therefrom; and (e) complete process of tire recapping (installation of recaps allowable; however, recapping of tires is not permitted.) All work to be entirely done within the confines of the garage area and not in the drive area exposed to public view.

AUTOMOBILE WRECKING YARD - Any place where two (2) or more motor vehicles, not in running condition, inoperable, or not having a current license, are stored or any parts therefrom are stored in the open; or any land, building or structure used for wrecking or storing of such motor vehicles or farm machinery, or parts therefrom.

AVERAGE DENSITY ZONING - See Cluster Development.

BASEMENT - Any story below the first story of a building in which the surface of the floor is more than four feet below the adjacent ground elevation at all points, and shall not be included as a story for the purpose of height measurements [also cellar].

BED AND BREAKFAST UNIT - A room or group of rooms, buildings, or cottages forming a single habitable unit this is used, or intended to be used, for transient guest accommodations; and where the owner or manager lives in the facility, and rents rooms to guests on a nightly basis for periods of less than a week. When provided, meals are for guests only and are provided by the owner or manager. No room or group of rooms may be used by renters for meal preparation, cooking or eating. There shall be no more than five guestrooms providing overnight accommodations to transient guests for compensation.

BLOCK - A tract of land bounded by streets or by a combination of streets and routes (such as railroad right-of-way), waterways, public open spaces (cemetery or park), or other barrier; and not transverse by a through street.

BOARDING HOUSE - A dwelling unit, or part thereof, in which lodging, meals, laundry and cleaning may be provided for compensation. The dwelling is not available for transients, and no room or group of rooms is in use by tenants for cooking or eating.

BOARDING HOME FOR SPECIAL POPULATIONS AND CARE - A nonprofit or sheltered care for a maximum of six persons with special needs, which in addition to providing shelter may provide food, social, or counseling services. These may be for homeless, sheltered care, and shelters for the victims of domestic violence.

BOARDING KENNEL - See Kennel.

BODY MODIFICATION - Intentional permanent or semi-permanent alterations of the living human body for reasons such as aesthetics, ritual, folk medicine, or corporal punishment, and includes but is not limited to piercing, gauging, and tattooing.

BOND - Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Town Council. The Town Council shall approve all bonds wherever a bond is required by these regulations.

BUFFER LANDSCAPING - Any trees, shrubs, walls, fences, berms, or related landscaping features required under this Ordinance or the Subdivision Regulations to be placed on private property and privately maintained, or in public right-of-way for the purpose of visually and audibly separating one use from another. Buffer landscaped areas are used to shield or to block noise, lights, or other nuisances.

BUILDABLE AREA - The portion of the lot remaining after required yard setback lines or visibility requirements have been provided.

BUILDING - Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any person, animal, process, equipment, goods, or materials of any kind.

BUILDING, ATTACHED - A unit attached to one or more units by one or more common vertical walls. Typically attached buildings include garden homes, patio homes, duplexes, quadruplexes, townhouses, office condominiums, or suites.

BUILDING FORM - Refers to the shape or configuration of a building structure.

BUILDING HEIGHT - The vertical distance above the finished grade measure to the highest point of the building.

BUILDING LINE - The building line is the inner edge of any required yard or required setback, and the corresponding outer edge of the buildable area. Except as specifically provided by these regulations, no portion of any building or structure may be extended to occupy any portion of a lot outside its building lines.

BUILDING MASS - Considered the outline of the structure. This is determined by the height, width, and depth of the structure.

BUILDING PERMIT - Written permission issued by the Building Department for the construction, repair, alteration, or addition to a structure.

BUILDING, PRINCIPAL - A building in which the primary intended or main use of the lot is conducted. Where a significant part of an accessory building is attached to the main building in a substantial manner, such accessory building shall be counted as part of the principal building. There shall be only one principle building or use per lot.

BUSINESS - An enterprise that occupies time, attention, and materials or wherein merchandise may be exhibited, purchased, bartered, exchanged, or sold; or where professional persons serve clients who seek advice or consultation.

CAMP, PUBLIC - Any area or tract of land used or designed to accommodate two or more automobile recreational vehicles, either towed or motorized, or two or more camping parties, including cabins, tents, or other camping outfits.

CAR WASH - An enterprise located within a building, or portion thereof, where motor vehicles are washed, blower or steam cleaned by production line methods or other mechanical devices.

CELLULAR TOWER/CELL TOWER - A cellular telephone site where antennae and electronic communications equipment are placed, usually on a radio mast, tower, or other high place, to create a cell (or adjacent cells) in a cellular network.

CELLAR - See Basement.

CEMETERY - Place for the interment of human or animal remains, or cremated remains, including a Burial Park for earth interments, a mausoleum for a vault or crypt interments, a columbarium for cinerary interments, or combination thereof.

CERTIFICATE OF OCCUPANCY - A written document issued stating that the required constructions, inspections, tests, or notices have been performed and complies with applicable requirements of the building code and zoning ordinance.

CHILD CARE CENTER - A nonresidential building where at least one (1) child receives child care from a provider:

1. While unattended by a parent, legal guardian, or custodian.
2. For regular compensation.
3. For more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays.

CHILD CARE HOME - A residential structure in which at least six (6) children (not including the children for whom the provider is a parent, stepparent, guardian, custodian, or other relative or any child who is at least fourteen (14) years of age and does not require child care) at any time receive child care from a provider:

1. While unattended by a parent, legal guardian, or custodian.
2. For regular compensation.

3. For more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays.
4. The term includes:
 - a. A class I child care home.
 - b. A class II child care home.

CHILD CARE MINISTRY - Child care operated by a church or religious ministry that is a religious organization exempt from federal income taxation under Section 501 of the Internal Revenue Code.

CLEAR SIGHT TRIANGLE - A triangular-shaped portion of land established at street intersections or driveways in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the view between a height of four feet and ten feet above the centerline grade of the intersecting streets, in the area bounded by the street lines of the corner lots and a line joining points along the street fifteen (15) feet from the point of the intersection of any public way or public or private corner lot.

CLINIC OR MEDICAL HEALTH CENTER - A business establishment where patients seek advice, consultation, or treatment on an outpatient basis by one or more physicians, dentists, chiropractors, or other licensed medical practitioners, medical personnel, psychologists or social workers, and patients are not lodged overnight.

CLUB OR LODGE, PUBLIC OR PRIVATE - Association of persons, who are organized for a common purpose that pursues social, cultural, educational, or religious goals and interests. Bona fide members pay annual dues which own, hires, or leases a building, or portion thereof, the use of such premises being restricted to members and their guests

CLUSTER DEVELOPMENT (OR AVERAGE DENSITY ZONING) - Cluster development provides a developer that option of grouping units close together and leaves more land as open space. Cluster development is used to protect environmentally sensitive features or to provide large open space areas. Buildings are grouped on the most buildable portion of a development site, with the remainder of the site preserved as open space. Smaller building lots are permitted, with the lots grouped closer together. However, the total number of buildings allowed on the site cannot exceed the number otherwise permitted by the zoning district.

COMMERCIAL - See Business.

COMMISSION - The Advisory Plan Commission of the Town of Clarksville.

COMMUNITY FACILITY OR INSTITUTION - A facility that is provided by the Town or by another group or organization without profit or gain for such special purposes as community meetings, community center, museum, public library, cultural center, and similar uses, but not commercial recreation establishments or any type of group home or boarding house.

COMPREHENSIVE PLAN - The complete plan, or any of its parts, for the development of the town, prepared by the Plan Commission and adopted in accordance with applicable statutes, as amended, as is now or may hereafter be in effect.

CONDOMINIUM - A form of tenure for real estate authorized by the 1963 Horizontal Property Act, Chapter 349 of the Acts of the State of Indiana, and amendments thereto. A multiple dwelling or development containing individually owned dwelling space and jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of state and local laws.

CONDOMINIUM, SITE - A condominium project containing or designed to contain structures or other improvements for residential, commercial, office, business, or other uses permitted in the zoning district in which it is located and in which each co-owner owns exclusive rights to a volume of space within which a structure or structures may be constructed as a condominium unit as described in a master deed. A site condominium, when constructed as an alternative to a platted subdivision, may also be referred to as a condominium subdivision and shall be considered as equivalent to a platted subdivision for the purpose of regulation by this Ordinance and other ordinances of the Town.

CONDOMINIUM OWNERS' ASSOCIATION (COA) - Formed under the Horizontal Property Law, the owners of said condominiums also own a common tenancy in conjunction with owners of other units in the common area, which customarily includes all driveways, parking, elevators, outside hallways, and recreation and landscaped areas. Dues are typically collected which are used by the association to manage said common areas.

CONFERENCE CENTER - A facility used for service organizations, business and professional conferences, and seminars. A conference center is not designed to be utilized by the public for overnight purposes, although a hotel or motel may be attached or directly accessed from the center.

CONSERVATION - Management of natural resources to prevent waste, destruction, or degradation of the natural resource.

Conservation and natural areas are listed below:

1. Primary Conservation Areas
 - a. Areas within the one hundred (100) year floodway and floodplain.
 - b. Woodlands, canopy, and understory.
 - c. Wetlands.
 - d. Streams ten (10) feet on both sides from the midpoint of the stream.
 - e. Slopes eighteen percent (18%) and greater.
 - f. Historic sites and structures, including archaeological sites.
 - g. Cemeteries.
2. Secondary Conservation Areas
 - a. Lands are having twelve percent (12%) to eighteen percent (18%) slopes.
 - b. Woodland edges.
 - c. Riparian zones.
 - d. Hedgerows, wildlife habitats, and travel corridors.
 - e. Ponds and water impoundments.

CONSERVATION SUBDIVISION - A subdivision where fifty percent (50%) or more of the total area is designed as undivided open space or common area and is density neutral.

CONSTRUCTION AND DEMOLITION WASTE - Means solid waste resulting from the construction, remodeling, repair, or demolition of structures. Such wastes may include, but is not limited to the following:

1. Scrap lumber.
2. Bricks.
3. Concrete.
4. Stone.
5. Glass.
6. Wallboard.
7. Roofing.
8. Plumbing fixtures.
9. Wiring.
10. Non-asbestos insulation.

The term does not include the following types of regulated solid waste such as, but not limited to:

1. Fluorescent light fixtures.
2. Appliances.
3. Regulated asbestos-containing material as defined in 40 CFR 61, as may be amended.
4. Any other waste resulting from construction, remodeling, repair, or demolition of a structure that, when placed in a landfill, would potentially result in contamination of ground water or present a risk to human health or the environment.

CONVALESCENT HOME - See Nursing Home.

CONVENTIONAL SUBDIVISION - Conventional subdivision includes setbacks, densities, heights, and other development standards.

CORNER LOT - A lot at the junction of and abutting two or more intersecting public ways and having a designated space (known as a clear Sight Triangle or Vision Clearances) in which nothing is permitted to be built, placed, or grown in a way that would impede visibility at the intersecting public ways.

COUNTY - Clark County, Indiana.

CUL-DE-SAC - A local street or road right-of-way with only one outlet having an appropriate terminal for the safe and convenient reversal of traffic movement.

CULTURAL FACILITIES - An establishment that documents the social and religious structures and intellectual and artistic manifestations that characterize a society, including but not limited to museums, art galleries, and botanical and zoological gardens of a natural, historic, educational, or cultural interest.

DAY CARE CENTER - See childcare center.

DAY CARE HOMES - See childcare.

DEAD-END STREET - A street with a single common ingress and egress.

DECELERATION LANE - A lane that allows traffic existing on a major street to slow down to a safer speed to exit left or turn right into an intersection without affecting the main flow of traffic.

DEDICATION - The transfer of property from one owner to another, often for a specific use, conveyed by means of a plat or written instrument.

DEMOLITION - The act of removing by pulling, knocking down, or tearing up a building, structure, or surface with the intent of razing the structure or surface, in whole or in part.

DEMOLITION DEBRIS - Those materials resulting from the destruction or demolition of any man-made physical structure including houses, buildings, industrial or commercial facilities, and roadways, and all construction debris or waste. (See also Construction and Demolition Waste.)

DENSITY OR INCENTIVE USES - Strategies that allow a developer to apply for higher density or other variances, in exchange for providing open space or other community amenities. Cluster and court yard lot area are an example of this type of development.

DESIGN SPEED - A speed used to design the horizontal and vertical alignments of a roadway.

DETACHED BUILDING - A building having no structural connection with another building on the same lot or any other lot. A detached building may be an accessory building to the principal building and, as such, shall conform to the definition of an accessory building.

DEVELOPMENT - A development meeting the requirements, restrictions, provisions, and standards of the zoning ordinance or a development plan, subdivision ordinance or planned unit development requirements.

DEVELOPMENT PLAN - A specific plan for development of real property that:

1. Requires approval by the Plan Commission.
2. Includes a site plan and information relative to the adequate review of a proposed development.
3. Satisfies the development standards and requirements specified in the zoning ordinance regulating the development within the zoning district in which it is to be located.
4. Contains the plan documentation and supporting information required by the zoning ordinance, Plan Commission, or Technical Review Committee.

DISCOMFORT GLARE - Low-level glare that is distracting or uncomfortable, interfering with the perception of visual information, but does not significantly reduce the ability to see information needed for activities.

DISABILITY GLARE - A veiling luminance or stray light at the eye, which alters the visual field in such a way as to reduce the brightness of a viewed object and its background, thereby making the visual task more difficult.

DISPLAY PUBLICLY - The act of exposing, placing, posting, exhibiting, or in any fashion displaying in any location, whether public or private, an item in such a manner that it may be readily seen, and its content or character distinguished by normal unaided vision viewing it from a street, highway, or public sidewalk, or from the property of others, or from any portion of the premises where items and material other than adult media are on display to the public.

DISTRICT - A defined section of the town for which uniform regulations are established, governing standards such as the use, height, area, size, and intensity of use of buildings and land, and open spaces around buildings.

DRIVE-IN OR DRIVE THROUGH ESTABLISHMENTS - An establishment which is designed to provide service, either wholly or in major part, to customers while in their automotive vehicles, upon the zoned premises, excluding drive-in theaters.

DUPLEX - A building containing two independent single-family dwelling units totally separated from each other vertically by a wall extending from ground to the roof.

DWELLING - A building substantially affixed to the land or portion thereof, used primarily as a place of abode for one or more human beings and meeting the definition of a building, excluding but not limited to hotels, motels, extended-stay lodging or boarding homes, tents, buses, vans, tourist or "bed and breakfast" homes, or recreational vehicles.

1. Dwelling, Single-Family - A detached building designed for or occupied by one (1) family exclusively.
2. Dwelling, Two Family - An attached building designed for or occupied by two (2) families.
3. Dwelling Multi-Family - A building designed for or occupied by three (3) or more families, exclusively for dwelling purposes.
4. Dwelling, Patio Home - A one (1) family dwelling on a separate lot with open space setbacks on three sides and with a court. Patio homes may be attached to similar houses on adjacent lots and still meet this definition, in which case they are known as "zero lot line homes."

DWELLING UNIT - Consists of one (1) or more rooms that are designed and used as the cooking, living, and sleeping quarters for one family only. Complete single kitchen facilities and permanently installed individual bathrooms shall always be included in a dwelling unit. Room sizes shall meet Division 157.

EASEMENT - A grant made by a property owner for use by others of any designated part of their property for a clearly specified purpose and officially recorded in the Clark County Recorder Office.

ENVIRONMENTAL CONSTRAINT

1. Primary - comprise only the most severely constrained lands, where development is typically restricted under current codes and laws (such as wetlands, floodplains, archaeological sites, cemeteries, and slopes exceeding twenty-five percent (25%).
2. Secondary - include all other locally noteworthy or significant features of the natural or cultural landscape – such as mature woodlands, wildlife habitats and travel corridors, prime farmland, wellhead protection areas, greenways and trails, and river and stream corridors.

ESSENTIAL FACILITIES - Public or private facilities that are needed to provide essential services.

ESSENTIAL SERVICES - Public or private services that provide safety from fire, flood, and other dangers, and for the convenience of access and adequate light and air.

EXPLICIT SEXUAL MATERIAL - See Hard-Core Material.

EXTENDED STAY HOTEL/MOTEL - Any building containing guestrooms intended or designed to use, or which are used, rented, or hired out to be occupied or which are occupied for sleeping purposes for guests, and contain kitchenette facilities including at a minimum the following:

1. Eighteen (18) cubic foot refrigerator.
2. Five (5) cubic foot range with oven and four (4) burners.
3. Thirty-two (32) inch sink and operating hot and cold water faucets.
4. Four and one-half (4 ½) feet of base cabinets.
5. A table of sufficient size to fit two people comfortably.
6. A guest room shall have a minimum of 400 square feet and no less than 450 square feet for handicapped accessible rooms.

EXTERIOR SURFACE MATERIAL SCHEMES - Exterior surface materials on a structure such as brick, stone, stucco, siding, or combination thereof may be used to create a distinctive differentiation between structures.

EXPLICIT SEXUAL MATERIAL - Any hard-core material.

FAMILY - An individual or two or more persons related by blood, marriage, or adoption, or not more than four persons not related by blood, marriage, or adoption, operating a dwelling unit as an individual housekeeping organization. Family members not related by blood, marriage, or adoption share the entire house; live and cook together as a single housekeeping unit; share expenses for food, rent, utilities, or other household expenses; and are permanent and stable.

FENCE - Any construction of wood, metal, masonry or other material erected for the purpose of assuring privacy or protection. In no case shall the fence or its material resemble junk (as described in this section) or be assembled from junk.

1. Partition Fence - A fence that is used by adjoining property owners as a property partition unless agreed upon by the property owners, and shall be repaired, maintained, and paid for as provided by IC 32-26-9. The partition fence is any one of the following that is maintained to be sufficiently tight and strong to hold cattle, hogs, horses, mules, and sheep, as follows:
 - a. Straight Board and Wire Fence - A straight-wire fence, a straight-board fence, or picket fence four (4) feet high.
 - b. Straight Rail Fence - Four and one-half (4 ½) feet high.
 - c. Worm Rail Fence - Five (5) feet high.
 - d. Spite Fence - An unlawful structure in the nature of a fence unnecessarily exceeding six (6) feet in height and erected or maintained for the purpose of annoying the owners or occupants of adjoining property. This type of fence is considered a nuisance and is controlled by IC 32-26-2.
 - e. Hedge or Live Fence - A hedge or other live fence grown along dividing properties owned by different persons in Indiana is required to be cut and trimmed down to a height of not more than six (6) feet and to a width of not more than three (3) feet once in each calendar year.

FLAG LOT - A lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way, easement, or driveway.

FLEA MARKET - A building or open area in which semi-enclosed or outdoor stalls, rooms, stands, or spaces are rented or otherwise provided, and used for the purpose of display, sale, exchange, or barter of merchandise. Sales spaces are intended for use by various unrelated individuals to sell articles that are either homemade, handcrafted, old, or obsolete, and may include the selling of new or used goods at retail by businesses or individuals who are generally engaged in retail trade. Antique shops, rummage sales, and garage sales are not considered to be flea markets.

FLOOD HAZARD AREA - Those flood plains which have not been adequately protected from flooding caused by the Regulatory Flood, and are shown on the zoning map and/or on the Flood Hazard or Floodway-Flood Boundary Maps of the Federal Insurance Administration, or maps provided to the Commission from the Indiana Natural Resources Commission.

FLOOD PLAIN - The area adjoining the river or stream, which has been or may hereafter be covered with flood water from the Regulatory Flood.

FLOODWAY - The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the Regulatory Flood of any river or stream.

FLOOR AREA - The square feet of floor space within the outside line of walls, including the total of all space on all floors of a building. Floor area shall not include porches, garages, or space in a basement or cellar.

FOOT CANDLE - A unit of illumination equal to the illumination at all points that are one foot from a uniform point source of one candle-power.

FREE BURNING - A rate of combustion described by a substance that burns actively and easily supports combustion.

FUNCTIONAL CLASSIFICATION - The FHWA and INDOT system used to group public roadways into classes according to their purpose in moving vehicles and providing access.

FUNCTIONAL INTERSECTION AREA - The functional area of an intersection extends both upstream and downstream from the physical intersection area and includes any auxiliary lanes and their associated canalizations. Both its functional and physical areas define an intersection.

The functional area on the approach to an intersection or driveway consists of three basic elements:

1. Perception-reaction distance.
2. Maneuver distance.
3. Queue storage distance.

GARAGE, COMMUNITY - A garage used exclusively for the parking and storage of vehicles owned or operated by residents of nearby dwelling units and their guests; which is not operated as a commercial enterprise and is not available to the general public; and which is owned, leased, or cooperatively operated by such residents.

GARAGE, MUNICIPAL - A structure owned or operated by a municipality and used primarily for the parking and storing of vehicles owned by the general public.

GARAGE, PRIVATE CUSTOMER AND EMPLOYEE - A structure that is accessory to a non-retail commercial or manufacturing establishment, building, or use; is primarily for the parking and storage of vehicles operated by the customers, visitors, and employees of such building; and is not available to the general public.

GARAGE, PRIVATE RESIDENTIAL - A structure that is accessory to a residential building, either detached or as a portion of the principal building, that is used or occupied for the parking or temporary storage of household goods, automobiles, travel trailers, boats, or other vehicles owned and operated by the residents thereof, and that is not a separate commercial enterprise available to the general public.

GARAGE, PUBLIC - A structure, or portion thereof, other than a private customer and employee garage or private residential garage, used primarily for the parking and storage of vehicles and available to the general public.

GARAGE, REPAIR - Any building, premises, and land in which or upon which a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered.

GENERAL BUSINESS - Businesses serving the region, as well as the local community.

GREENHOUSE, COMMERCIAL - A building used for the growing of plants, all or part of which are sold at retail or wholesale.

GROUND FLOOR AREA - The square foot area of a residential building within its largest outside dimensions, computed on a horizontal plane at the ground floor level, exclusive of open porches, breezeways, terraces, detached garages, and exterior stairways.

GROUP HOME - A dwelling or boarding house used as living quarters, established as a home for housekeeping of a group of people having a reduced ability to cope with and function in the everyday world.

HARD-CORE MATERIAL - Media characterized by sexual activity that includes one or more of the following:

1. Erect male organ.
2. Contact of the mouth of one person with the genitals of another.
3. Penetration with a finger or male organ into any orifice in another person.
4. Open female labia.
5. Penetration of a sex toy into an orifice.
6. Male ejaculation.
7. The aftermath of male ejaculation.

HARDSHIP - See Unnecessary Hardship.

HEAVY INDUSTRIAL - An industry that involves one or more characteristics such as large and heavy products; large or heavy equipment and facilities (such as heavy equipment, large machine tools, and huge buildings); or complex or numerous processes.

HIGHWAY CAPACITY MANUAL - Manual published by the US Transportation Research Board, National Research Council, providing guidance and methods for analyzing capacity and level of service for a broad range of transportation facilities.

HOME OWNERS' ASSOCIATION (HOA) - An association of owners of property or home, formed to operate, maintain, and manage common areas of a development.

HOSPITAL - An institution providing primary health services and medical or surgical care to persons, primarily in patients, suffering from illnesses, disease, injury, deformity, and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.

HOTEL (OR MOTEL) - A building or group of buildings on the same parcel in which lodging is provided and offered on a temporary basis. The building shall contain sleeping rooms occupied singly to the public for compensation, and which is open to transient guests, in contradistinction to a "boarding house." No provisions shall be made for cooking within any individual room; however, maid service, bell boy service, desk service, the furnishing and laundering of linens, and upkeep of the furnishings are provided. Must be staffed at all times (24 hours per day) with desk service when occupied by guests.

HUMAN MALE GENITALS - Referring to when they are in a discernibly turgid state, even if completely and opaquely covered.

HYDRANT -

1. Dry Hydrant - A water supply consisting of a pond, stream, river, canal, lake, reservoir, quarry, pressure tank, elevated tank, swimming pool, other fixed systems, or fire department delivered portable system capable of providing the required fire flow.
2. Fire Hydrant - An upright hydrant that can supply large volumes of water to use in fighting a fire. They are commonly placed at intervals at the street edge of a sidewalk or spaced for convenience in suppressing fires in the town.
3. Flush Hydrant - Used for cleaning water lines.

INDUSTRIAL PARK - A special or exclusive type of subdivision or planned industrial area designed and equipped for a community of industries.

INFRASTRUCTURE IMPROVEMENTS – Installation or construction of storm sewer facilities, sanitary sewers, water lines, streets, curbs, gutters, gas lines, electrical lines, telecommunication lines, sidewalks, and other utility services.

INTENSE BURNING - A rate of combustion described by a substance that burns with a high degree of activity and is consumed rapidly.

INTERSECTION TURN LANES – Designated lanes that are desirable at selected locations on two-lane highways, to reduce delays caused by turning vehicles, and to reduce accidents related to turning at such intersections.

INTERESTED PARTIES - Those parties who are owners of properties adjoining or adjacent to the property for which a zoning map change, variance, or special exception are being sought.

JUNK – Old or discarded items that are considered useless or of little value.

JUNK YARD – A place engaged in the business of acquiring or owning junk for:

1. Resale in their entirety or as spare parts: or
2. Rebuilding, restoration, or crushing.

KENNEL – Any person, partnership, or corporation maintaining an establishment where, including but not limited to, dogs or cats of any species are kept for the purpose of breeding, buying, selling, showing, re-homing, adopting, or boarding of the animals, or engaged in the training of the animals for guard or sentry purposes.

LAND AREA - The total area within the lot or project boundaries.

LEGISLATIVE BODY - The Town Council of Clarksville, Indiana.

LETTER OF CREDIT - Any form of instrument of credit in an amount and form satisfactory to the Town Council issued by a bank or other financial institution.

LEVEL OF SERVICE - A qualitative measure describing operational conditions within a traffic stream, based on service measures such as speed and travel time, freedom to maneuver, traffic interruptions, comfort, and convenience.

LEVEL TERRAIN - A combination of horizontal and vertical alignments that permit heavy vehicles to maintain approximately the same speed as a passenger car; this generally includes short grades of no more than one percent (1%) to two percent (2%).

LIGHT INDUSTRY - An industry that compounds, processes, packages, stores, assembles, and/or treats finished or semi-finished products from previously prepared materials, which activities are conducted wholly within an enclosed building.

LINGERIE MODELING STUDIO - An establishment or business that provides the services of live models modeling lingerie to individuals, couples, or small groups in a room smaller than six-hundred (600) square feet.

LOADING AND UNLOADING BERTHS - The off-street area required for the receipt or distribution by vehicles of material or merchandise, which in this Ordinance is held to be at least twelve (12) feet in width by fifty (50) feet in length per loading space with a height clearance of fourteen (14) feet.

LOCAL BUSINESS - Businesses serving the community on a neighborhood scale.

LOCATION MAP - A small inset map showing the location of a tract of land in relation to a larger area. Also known as a vicinity map.

LOT - A parcel, tract, or area of land.

LOT - CORNER - A lot having a continuous street frontage along two or more different streets.

1. Lot – Interior - A lot other than a “Corner Lot” or “Through Lot.”
2. Lot – Through - A lot having frontage on two (2) parallels or approximately parallel streets.

LOT COVERAGE - The percentage of the total lot that is covered by the principal building and any accessory building or structure with a roof or awning, excluding but not limited to sidewalks, driveways, patios, decks, and pools.

LOT GROUND LEVEL - The ground level of a lot shall be as follows:

1. For buildings having walls adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street.
2. For buildings having walls adjoining more than one (1) street, the average of the elevation of the sidewalk at the center of all walls adjoining the streets.

LOT LINES:

1. Front Lot Line - The lot line separating a lot from a street right-of-way.
2. Rear Lot Line - The lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, a line ten (10) feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
3. Side Lot Line - Any lot boundary line not a “Front Lot Line” or “Rear Lot Line.”

LOT OF RECORD - A lot that is part of a recorded subdivision or planned unit development and recorded in the Clark County Recorder’s Office, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

LOT WIDTH - The horizontal distance between side lot lines of a lot measured at a point midway between the front lot line and the rear lot line; or at the rear line of the required front yard [building line], especially on irregularly shaped lots.

MANUFACTURED /MODULAR HOME - A dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, which bears a seal certifying that it was built in compliance with the Federal Manufactured Housing Construction and Safety Standards Law of 1974 [42 U.S.C. 5401 et seq.], as promulgated by the Indiana Administrative Building Council in Modular homes. Manufactured homes must meet the same development standards as any other dwelling unit in the zone in which it is located. The following terms are related to such dwellings:

1. Underfloor space – The space between the bottom of the floor joist and the earth.
2. Occupied space - The total area of the earth horizontally covered by the structure, excluding but not limited to accessory structures such as garages, patios, and porches.
3. Manufactured homes must meet the same development standards as any other dwelling unit in the zone in which it is located.

MASSAGE STUDIO - An establishment offering massage therapy and/or body work by a massage therapist licensed under IC 25-21.8, as may be amended.

MAINSTREAM MEDIA STORES - These include video stores, bookstores, and newsstands that carry some sexually oriented media and are expressly protected and not made subject to the zoning and separation requirements applicable to sexually oriented media outlets, even if they carry some material that may be considered hard-core pornography. Adult media in a mainstream store or shop shall be kept in a separate room or section of the shop, which shall:

1. Not be open to any person under the age of eighteen (18).
2. Be physically and visually separated from the rest of the store by an opaque wall of durable material, reaching at least eight feet high or to the ceiling.
3. Be located so that the entrance to said room or section is as far as reasonably practicable from other media or inventory in the store that is likely to be of particular interest to children.
4. Have an access control device, either by electronic or other means, to provide assurance that persons under age eighteen (18) will not easily gain admission and the general public will not accidentally enter such room or section; or will provide continuous video or window surveillance of the room by store personnel.
5. Provide signage at the entrance stipulating that persons under eighteen (18) years of age are not permitted inside.

MEDIA - Anything printed or written, or any picture, drawing, photograph, motion picture, film, videotape or video production, pictorial representation, or any electrical or electronic reproduction of anything.

MEDIA SHOP - A general term, identifying a category of business that may include sexually oriented material, but that is not subject to the provisions applicable to adult media shops. In the context of sexually oriented material, media shop means a retail outlet offering media for sale or rent, for consumption off the premises, provided that any outlet meeting the definition of adult media shop shall be treated as an adult media outlet. See "adult media store" in these definitions for media shops in which adult media constitute more than ten (10%) percent but less than twenty-five percent (25%) of the stock in trade, or occupy more than ten percent (10%) but less than twenty-five percent (25%) of the floor area.

MINERAL EXTRACTION - Establishments in this category transform, mine, and quarry metallic and nonmetallic minerals, such as sand, gravel, stone, clay and refractory materials, copper, gold, silver, iron, and coal. Included, but not limited to, are establishments that manufacture bricks, refractories, ceramics, glass, concrete, lime, gypsum, abrasives, ceramic plumbing fixtures, statuary, cut stone products, mineral wool, plugs, and couplers. Processes used include, but are not limited to, grinding, mixing, cutting, shaping, and honing.

MIXED-USE - A tract of land, buildings or structures developed or used for two (2) or more different activities or functions.

MIXED USE DEVELOPMENT - A real estate project with planned integration of some combination of retail, office, residential, hotel, recreation, or other functions. It is pedestrian-oriented and contains elements of a live-work-play environment. It maximizes space usage and has amenities and architectural expression.

MOBILE HOME COMMUNITY - An area of land on which two (2) or more mobile homes are regularly accommodated with or without charge, including any building or other structure, fixture, or equipment that is used or intended to be used in providing that accommodation.

MOTEL - See Hotel.

NATURAL RESOURCE - Components and processes present or produced by nature, including slopes, geology, surface water, wetlands, flood plains, wildlife, woodlands, woodland edges, stream corridors, soils, and archaeological sites.

NON-CONFORMING ACCESS FEATURES - Features of access to a property that exist prior to the date of this ordinance adoption and do not conform to the requirements of this ordinance.

NON-CONFORMING LOT - A single lot of record prior to the effective date of this Ordinance that fails to meet the area or dimensional standards or requirements for lots within the zoning district in which it lies.

NON-CONFORMING STRUCTURE - Improvements because of size or location on the lot, that do not meet required lot size, setback lines, and other standards or regulations for the district in which they are situated.

NON-CONFORMING USE - Any building or land legally occupied or used at the time of the passage of this Ordinance or amendment thereto, which does not conform after the adoption of this Ordinance or amendment thereto with the use regulations of the district in which it is situated.

NURSING HOME - A health care facility where persons are housed and furnished with meals and continuing care for compensation.

OCCUPIED SPACE - The total area of earth horizontally covered by a structure, excluding accessory structures such as, but not limited to, garages, patios, and porches.

OPEN SPACE - Outdoor area of a lot or tract which is designed and used for outdoor recreation, pedestrian access, or landscaping. Such areas may be ground or roof space that is seventy-five percent (75%) open to the sky, balconies having a minimum of five (5) feet of width, or an unenclosed deck or porch. Off-street parking and loading space, driveways, or unenclosed fire escapes do not qualify as usable open space. Required yards are not used when calculating required open space.

OPEN USE - The use of a lot without a building or structure.

PARKING AREA, PUBLIC - Any open area, other than a street or alley, used for the temporary parking of more than four (4) vehicles and available for public use whether for free, for compensation, or as an accommodation for clients or customers.

PARKING SPACE, (OFF STREET) - A space, other than on a street or alley, designed for use or used for the temporary parking of a motor vehicle, and being no less than nine (9) feet wide and eighteen (18) feet long, exclusive of passageways.

PEDESTRIAN - An individual traveling on foot, by wheel chair, or crutches.

PEDESTRIAN SPACE - The average area provided for pedestrians and moving pedestrian stream or pedestrian queue, in square feet per pedestrian.

PEDESTRIAN WAYS - Sidewalks, accessible routes, paths, trails, and public ways for pedestrian travel.

PERFORMANCE MEASURE - A qualitative or quantitative characteristic describing the quality of service provided by the transportation facility or service.

PERFORMANCE STANDARD - A set of criteria or limits relating to certain characteristics that a particular use or process may not exceed. This approach to land use is based on the ability to quantify activities and to measure them to see whether they meet the standards, which typically include, but are not limited to, noise, vibration, glare, heat, air or water contaminants, and traffic.

PERSON - A corporation, firm, partnership, association, organization, or any other group acting as a unit, as well as a natural person.

PERSONAL WIRELESS SERVICE - Commercial mobile services, unlicensed wireless services, and common carrier exchange access services, including facilities other than direct to home satellite services.

PLAN COMMISSION - Refers to the Town of Clarksville Advisory Plan Commission established by IC 36-7-200, as added by Acts 1981, P.L. 309, Section 23.

PLAN DIRECTOR - The officer appointed by the Town Manager and/or delegated the responsibility for administering the planning department and implementing the zoning ordinance.

PLANNED UNIT DEVELOPMENT (PUD) - A zoning ordinance that does the following:

1. Designates a parcel of real property as a planned unit development district.
2. Specifies uses or a range of uses permitted in the planned unit development district.
3. Specifies development requirements in the planned unit development district.
4. Specifies the plan documentation and supporting information that may be required.
5. Specifies any limitation applicable to a planned unit development district.
6. Meets the requirements of IC 36-7-4-1505.

PLAT - A map indicating the subdivision or re-subdivision of land filed, or intended to be filed, for the record with the Clark County Recorder.

PRACTICAL DIFFICULTY - When or where there is a significant economic injury from the enforcement of the zoning ordinance, the injury is not self-created or self-imposed, and there are no feasible alternatives available within the terms of the zoning ordinance.

PRIMARY APPROVAL - When approval, or approval with conditions imposed, is granted to a subdivision by the Plan Commission and having determined in a public hearing that the proposed subdivision complies with the Subdivision Ordinance.

PRIMARY LIVE ENTERTAINMENT - On-site entertainment by live entertainers that characterize the establishment, as determined (if necessary) from a pattern of advertising, as well as actual performances.

PRINCIPAL BUILDING - See Building, Principal.

PRINCIPAL RESIDENCE - The place where a person resides six (6) months and one (1) day or more in a twelve (12) month period.

PRIVATE SCHOOL - Any school not considered a public school.

PROFESSIONAL OFFICE - Office of a member or members of recognized professions, such as an architect, accountant, attorney, artist, dentist, engineer, musician, physician, surgeon, or another professional person.

PROPERTY OWNERS' ASSOCIATION - See Home Owners' Association.

PUBLIC IMPROVEMENT - Any improvement, facility, or service, together with its associated site or right-of-way necessary to provide transportation, drainage, utilities or similar essential services and facilities that are usually owned and operated by a government agency. Public improvements may also be owned by a private entity and leased to the government agency for operation or owned by the government agency and leased to a private entity for operation.

PUBLIC PLACE - Is any tract owned by a federal, state, or local political subdivision.

PUBLIC WATER SUPPLY - Water provided by a public entity for human consumption through pipes or other constructed conveyances

PUBLIC WAY - Any passageway, such as an alley, road, highway, boulevard, or turnpike, or part thereof (as a bridge) open as of right to the public and designed for travel by vehicle, on foot, or in a manner limited by statute.

RECREATIONAL RESIDENTIAL VEHICLE (RV) - a motor vehicle or trailer equipped with living space and amenities found in a home including pop-up camper, truck camper, fifth-wheel, tear drop camper, converted bus, park model (vacation/resort cottage)

RECREATIONAL VEHICLE-a motorized vehicle used for recreation such as a water craft, snow mobile, UTV, and ATV,

RECREATIONAL VEHICLE CAMPGROUND – See Camp, Public.

RECYCLING FACILITY - See Refuse Disposal Facility.

REFUSE DISPOSAL FACILITY - A location deemed to include sanitary landfill incineration, grinding, or any other process oriented to disintegrating or recycling of solid waste material, provided that salvaging of scrap or junk shall not be permitted in any refuse disposal facility.

REGULATORY FLOOD - That flood having a peak discharge which can be equaled or exceeded on the average of once in a one hundred (100) year period, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission; this flood is equivalent to a flood having a probability of occurrence of one percent (1%) in any given year.

REPLAT - A change in an approved recorded subdivision plat. Any change in a recorded subdivision plat that affects any street layout, area reserved for public use, or any lot line, or if it affects any map or plan legally recorded prior to the adoption of this ordinance, such changes shall be approved by the Plan Commission in accordance with the provisions of IC 36-7-3, et seq., and/or IC 36-7-4-700, et seq.

RESIDENCE - A home, dwelling, abode, or fixed place that is permanent for the time being, as contradistinguished from a mere temporary locality or existence.

RESIDENTIAL - Refers to a type of property – whether it is a building or other type of structure, or whether the property is the land or real estate itself.

RESIDENCE OR RESIDENTIAL BUILDING - Shall not include, among others, tents, tanks or any type, lunch wagons, buses, vans, dining cards, trailers manufactured for recreation; or other roofed structures on wheels; or other supported used for residential business, mercantile, storage, commercial, industrial institutional assembly, educations, or recreational purposes. A building shall not include such structures as billboards, fences, television towers, or radio towers, or structures with interiors not normally accessible for occupancy.

REST HOME - See Nursing Home.

RIGHT-OF-WAY - A strip of land occupied or intended to be occupied by transportation facilities, public utilities, or other public uses. The maker of the plat on which such right-of-way is established shall dedicate rights-of-way intended for any use involving maintenance by a public agency for the public use.

ROADWAY - The portion of a road for vehicle use, including shoulders. A divided highway can have two (2) or more roadways.

ROADWAY OBSTRUCTION - An object or barrier along a roadway or median that affects traffic flow, whether continuous (as a retaining wall or similar structure) or not continuous (such as utility poles, mailboxes or bridge abutments).

ROOMING HOUSE - See boarding house.

SALVAGE - Property saved from destruction; also something extracted (as from rubbish) as valuable or useful.

SECONDARY APPROVAL - Approval insuring that the plat reflects all terms, conditions, and commitments given by the subdivider or required by the Plan Commission at the hearing for primary approval, and that the plat complies with the Subdivision Control Ordinance.

SETBACK - The minimum distance between the property line and the building or structure, excluding projections specifically permitted by this ordinance.

SHALL - When used, is to mean “mandatory.”

SHED – An accessory structure or building used primarily for storage purposes, which may or may not be on a permanent foundation, and the total square footage of which is less than 288 square feet. For the purposes of this Ordinance, any accessory structure that is greater than or equal to 288 total square feet shall be considered a garage.

SHOPPING CENTER - A group of retail and other commercial establishments that is planned, developed, owned, and managed as a single property, typically with on-site parking provided. The center's size and orientation are generally determined by the market characteristics of the trade area served by the center.

SHOPPING MALL - A shopping center with stores on both sides of an enclosed or open pedestrian walkway.

SHOULDER - The portion of the roadway contiguous with the travel way that accommodates stopped vehicles, emergency use, and lateral support of sub-base, base, and surface courses. In some cases, this can accommodate bicycles.

1. Graded Shoulder Width - that part from the edge of the traveled way to the intersection of the shoulder slope and the fore slope planes.
2. Usable Shoulder - The actual width of the shoulder that can be used when a driver makes an emergency or parking stop. Where the side slope is 1V:4H or flatter, the "usable" width is the same as the graded width since the usual rounding width at the shoulder break will not lessen its useful width appreciably.

SIGHT DISTANCE TRIANGLE - The triangular space at the street corner of a corner lot, free from any kind of obstruction to vision between the heights of four (4) and twelve (12) feet above established grade, determined by a diagonal line connecting two (2) points measure at least twenty-five (25) feet equal distance from the street corner along each property line provided. However, greater distance may be required to meet American Association of State Highway and Transportation Officials (AASHTO) standards due to the prevailing speed and traffic control at the intersection.

SIGN - Any display to public view of letters, words, numerals, figures, statues, devices, emblems, pictures, or any parts or combinations thereof designed to inform, advertise, draw attention to, or promote merchandise, services, or activities.

SADOMASOCHISTIC PRACTICES - Flagellation or torture by or upon a person clothed or naked, or condition of being fettered, bound, or otherwise physically restrained on the part of one clothed or naked.

SEXUALLY ORIENTED BUSINESS - An inclusive term used to describe collectively: adult cabaret; adult motion picture theater; video arcade; bathhouse; massage shop; and/or sex shop. Also known as an adult business.

SEXUALLY ORIENTED TOYS OR NOVELTIES - Instruments, devices, or paraphernalia either designed as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.

SPECIFIED ANATOMICAL AREAS - Less than completely and opaquely covered: human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola.

SPECIFIED SEXUAL ACTIVITIES - Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, sodomy, or fondling; or other erotic touching of human genitals, pubic region, buttock, or female breast.

SPECIAL EXCEPTIONS - Authorization of a use that is designated as such by this Ordinance as being permitted in the district, if it meets special conditions, and upon application and after a public hearing is specifically authorized by the Board of Zoning Appeals.

STREET, ROAD, AND HIGHWAY - A thoroughfare within the right-of-way that carries traffic between land use activities and/or provides access to abutting properties. The designation of roads by type of use or function is defined by the functional classification of the Federal Highway Administration and Indiana Department of transportation, unless otherwise defined by future town ordinance or amendment of this ordinance. A road may be designated an avenue, boulevard, drive, highway, lane, parkway, place, street, court, or appropriate name. Roads are identified according to type of use or function, as follows:

1. Expressway, Interstate, and Other Principal Arterials - Roads serving primarily to carry traffic between communities to major state and intermediate highways, and carrying high traffic volumes for longer trips at high speeds.
2. Major Collector Street or Road - A road serving both to carry through traffic; as well as to provide property access in residential, commercial, and industrial areas; and conveying the traffic from "arterial" streets (roads) to "local" streets (roads).
3. Major Collector Street or Road - A road serving to provide property access in residential, commercial, and industrial areas.

- a. Local or Minor Street or Road - Any road providing access to, within, or abutting areas zoned or used for businesses, industries, or residencies.
- b. Local Industrial and Business Street or Road - A local or minor road serving businesses or industries.
- c. Local Residential Street or Road - A local or minor road serving residences.
 - i. Sub-collector Street or Road - A sub-classification of "local residential road" providing access and frontage to residential lots and conveying traffic to "collector roads." Like the "access road," the sub-collector provides access and frontage to residential lots but also carries some through traffic to "access roads."
 - ii. Access Road or Minor Street - A sub-classification of "local residential road," it has frontage to residential lots and conveys the traffic from dwelling units to higher-order roads. This is the lowest order of roads and includes short streets, places, lanes, courts, and cul-de-sacs.
- d. Private Road - A local road that is not dedicated or accepted for public use or maintenance, which provides vehicle or pedestrian access.

STRUCTURAL ALTERATION - Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, girders, or any substantial change in the exterior walls or the roof.

- A. **STRUCTURE** - Any constructed, erected, or combination of materials that forms a structure for use, occupancy, or ornamentation, whether installed on, above, or below ground level. Not all structures are buildings; a structure includes but is not limited to signs, parking lots, and fences.

STRUCTURE, TEMPORARY - A structure without any foundation or footings and that is to be removed when any permitted use for the temporary structure ceases.

STUB STREET - Street that is connected to another street at one (1) end, but is ultimately intended to connect with another street at the closed end.

SUBDIVIDER - The person or persons who own all or any part of the real estate included within a plat at the time of the secondary approval of said plat.

SUBDIVISION - Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, condominium, tracts, or interest for the purpose of offer, sale, lease, or development whether immediate or future, either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes the division or development of residentially and non-residentially zoned land; whether by deed, metes and bounds description, devise, intestacy, lease map, plat, or recorded instrument. Subdivision includes re-plat, amendment, and condominium creation or conversion.

TATTOO - Any indelible design, letter, scroll, figure, symbol, or other mark placed with the aid of needles or other instrument; or any design, letter, scroll, figure, or symbol done by scarring.

TATTOO ARTIST - Any person who provides a tattoo to an individual.

TATTOO OPERATOR - Any person, who controls, operates, conducts, manages or owns any tattoo parlor.

TATTOO PARLOR - Any room or space where tattooing is provided or where the business of tattooing is conducted.

THOROUGHFARE - A public way or public place that is included in the thoroughfare plan of the town. The term includes the entire rights-of-way for public use of the thoroughfare and all surface and subsurface improvements on it such as sidewalks, curbs, shoulders, trails and accessible routes.

TINY HOUSE - A dwelling that is 500 square feet (37 m) or less in floor area excluding loft and meeting room dimensional requirements of the International Residential Code.

TOURIST HOME - See Bed and Breakfast.

TOWN - The Town of Clarksville, Indiana.

TOW-IN-LOT - Automobile impoundment facility space-space also known as a tow- in lot is a facility that provides temporary outdoor storage for vehicles that are to be claimed by titleholders or their agents.

TRADE, VOCATIONAL OR BUSINESS SCHOOL - Public, private, or nonprofit vocational or business school or college for teaching trade or business technology, including, but not limited to: barbering or hairdressing, drafting, or for teaching industrial or technical arts, including but not limited to automotive, heating, air-conditioning, and computer technology.

TRAFFIC IMPACT ANALYSIS - A specialized study of the impact that a given type and size of land use has on a nearby transportation system.

TRANSIENT - Any person who, rents, or uses a lodging or a dwelling unit, or portion thereof, for less than six months and whose permanent address for legal purposes is not the hotel, motel, extended stay, lodging or dwelling unit occupied by the person.

TRAVEL WAY - The portion of the roadway for the movement of vehicles, exclusive of shoulders.

TRIP - A single one-direction vehicle movement with either the origin or destination [exiting or entering] inside a study site.

TRIP GENERATION - The number of trips generated by a land use.

TURNOUTS - A turnout is a widened, unobstructed shoulder area on a two-lane highway that allows slow-moving vehicles to pull out of the through lane so that vehicles following may pass. Turnouts are relatively short, generally less than six hundred and twenty-five (625) feet.

TWO-WAY LEFT TURN LANES - A paved area in the highway median that extends continuously along a roadway section and is marked to provide a deceleration and storage area, for vehicles traveling in either direction and making left turns at intersections and driveways.

UNDERFLOOR SPACES - Spaces between the bottom of the floor joints and the earth.

UNNECESSARY HARDSHIP - Exists when owing to special conditions of the property that distinguish it from other properties in the area, no fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property, and the proposed use is a reasonable one. An unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

USE - The purpose or activity for which the land or buildings are designed, arranged, or intended or to which land or building are occupied or maintained.

USE VARIANCE - Approval by the Board of Zoning Appeals of a use other than that permitted by this ordinance.

VARIANCE - A specific approval granted by the Board of Zoning Appeals in the manner prescribed by this ordinance, to deviate from the development standards (such as height, bulk, yards) that the Ordinance otherwise prescribes by this ordinance.

VERY LOW VOLUME LOCAL ROADS - Local roads as defined by FHWA having an ADT of less than four hundred (400).

VIDEO-VIEWING BOOTH See Arcade Booth.

VISION CLEARANCE (ON CORNER LOTS OR DRIVEWAY) – See Clear Sight Triangle.

WATER DISTRIBUTION SYSTEM - ONE OF THE FOLLOWING:

1. In a public water supply system, the term means the network of water piping, pumping stations, storage equipment, valves, fire hydrants, pressure regulators, and equipment required to transport water to the customer's service connection from one of the following points:
 - a. A treatment plant.
 - b. A source of raw water supply if not treatment is provided.
2. In a non-public water or private supply system, the term means the network of water piping pumping stations, valves, fire hydrants, pressure regulators, and equipment required to transport water to the point of use from one of the following:
 - a. A point that is one foot beyond the water storage tank.
 - b. A well, if no water storage tank is utilized.

YARD - A space on the same lot with a main building, open, unoccupied, and unobstructed by structure, except as otherwise provided in this chapter. Accessory structures may be located in the side or rear yard.

1. Front Yard - A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, lamp posts, and similar structures, the depth of which is the least distance between the street right-of-way line and the building line.
2. Rear Yard - A yard extending across the full width of the lot between the rear of the main building and the rear lot line (refer to the appropriate zone district requirements).
3. Side Yard - A yard between the main building and the side lot line, extending from the front yard or front lot line where no front yard is required, to the rear yard. The width of the required side yard is measured horizontally, at 90 degrees with the side lot line, from the nearest part of the main building.
4. Street Yard Side - A side yard facing a street.

Sec. 15-30 Illustrations

Illustrations of relevant definitions are shown in Division 210 – Illustrations.

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Sec. 20-10 Specific Purpose

The purpose of this district is to permit low-density, single-family, residential development.

Sec. 20-20 Land Use Classification

R-1 uses shall be in accordance with Table 20-1, Land Use Classification. Additional LBCS may be included, See Division 225 - Special Exception.

Table 20-1. Land Use Classification

<i>USES PERMITTED BY RIGHT</i>
LBCS - 1100 - Detached units - Detached single-family residential structures and site condominiums
LBCS - 1130 - Accessory units - 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>See Section 157.70 for accessory dwelling requirements and development standards</i>

Sec. 20-30 District 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 and/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, and conforms to the Clarksville Subdivision ordinance.
- C. Every lot that fronts or is adjacent to two (2) or more streets or rights-of-way, (excluding freeways or alleys), shall have a front yard setback for each yard fronting on or adjacent to such street, or right-of-ways.
- D. Where a lot has less than the width required by this zoning ordinance, and is a lot of record prior to the adoption of the 2011 Zoning Ordinance on April 4th, 2011, such lot may be occupied by one (1) single-family detached dwelling unit or a use permitted by right in an R-1 district.
- E. No occupancy permit shall be issued until all street and traffic control signs are installed.

Sec. 20-40 Dimensional Development Standards

R-1 developments shall be designed in accordance with Table 20-2, Dimensional Development Standards.

Table 20-2. Dimensional Development Standards	
<i>DIMENSION</i>	<i>MEASUREMENT</i>
Minimum lot area	8,000 square feet

Minimum lot width	80 feet
Maximum lot coverage	35%
Minimum depth of front yard	25 feet
Minimum depth of rear yard	20 feet
Minimum depth of each side yard	5 feet
Maximum height in feet and stories	25 feet / 2 stories
Maximum dwellings per acre	5.45
Minimum floor area	1,400 square feet
Average lot area in condominium development	Lot area may be averaged
Number of off-street parking spaces	2 per dwelling unit

Sec. 20-50 Building Permits

The Building Commissioner shall not issue a building permit for an R-1 development until the Planning Department has approved the plans.

Sec. 20-60 Landscaping

See Division 180 - Landscape Regulations.

Sec. 20-70 Lighting

See Division 190 – Lighting Regulations.

Sec. 20-80 Signs

See Division 200 – Sign Regulations.

Sec. 20-90 Parking

See Division 195 – Off-Street Parking and Loading Regulations.

Sec. 20-100 Access Management Plan

See Division 155 - Access Management Plan.

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Sec. 25-10 Specific Purpose

This district is intended for single- and/or 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.

Sec. 25-20 Land Use Classification

R-2 uses shall be in accordance with Table 25-1, Land-Use Classification. Additional LBCS may be included. See Division 225 - Special Exception.

Table 25-1. Land Use Classification*USES PERMITTED BY RIGHT*

Any use permitted by right in an R-1 district.

LBCS -1121 - Duplex structures - Generally a two-unit building that is divided vertically, and each unit has a separate entrance from the outside or through a common vestibule.

See Section 150-150 for residential conversion requirement and development standards

Sec. 25-30 R-2 District Standards

- 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 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 adoption of the 2011 Zoning Ordinance on April 4th, 2011, such lot may be occupied by one (1) single-family detached dwelling unit.
- C. Every lot that faces two (2) 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.
- D. Every lot shall have a side yard on each side. In the case of a duplex where the lot line runs through the building, a side yard shall be provided on each side of the exterior walls of the duplex. In the case of a corner lot, the front yard setback shall be observed for any side of a building facing a street
- E. Any structure adjacent to any street shall have articulation every twenty-five (25) feet.

Sec. 25-40 R-2 Development Standards

R-2 developments shall be designed in accordance with Table 25-2, Dimensional Development Standards.

Table 25-2. Dimensional Development Standards

<i>DIMENSION</i>	<i>MEASUREMENT</i>
<i>Residential Use</i>	
Minimum lot area for single-family detached dwelling unit	7,260 square feet

Table 25-2. Dimensional Development Standards		
<i>DIMENSION</i>	<i>MEASUREMENT</i>	
Minimum lot area per unit two-family duplex	3,630 square feet per unit	
Minimum lot width	70 feet	
Maximum lot coverage	35%	
Minimum depth of front yard	25 feet	
Minimum depth of rear yard	20 feet	
Minimum width of each side yard	5 feet	
Maximum height	35 feet	
Maximum dwellings per acre for single-family dwelling units	7.26	
Maximum dwellings per acre for two-family dwelling units	12	
Minimum floor area of living space	Single-family dwelling Duplex	1,200 square feet 1,000 square feet
Minimum usable open space per dwelling unit	600 square feet per dwelling unit	
Number of parking spaces	2 per dwelling unit	

Sec. 25-50 Building Permits

The Building Commissioner shall not issue a building permit for an R-2 development until the Planning Department has approved the plans.

Sec. 25-60 Landscaping

See Division 180 - Landscape Regulations.

Sec. 25-70 Lighting

See Division 190 – Lighting Regulations.

Sec. 25-80 Signs

See Division 200 – Sign Regulations.

Sec. 25-90 Parking and Loading

See Division 195 – Off-Street Parking and Loading Regulations.

Sec. 25-100 Access Management Plan

See Division 155 - Access Management Plan.

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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 "special exception" permits.

Sec. 30-20 Land Use Classification

R-3 uses shall be in accordance with Table 30-1, Land-Use Classification. Additional LBCS may be included. See Division 225 - Special Exception.

Table 30-1. Land Use Classification

<i>USES PERMITTED BY RIGHT</i>	
Any use permitted by right in a R-1 or R-2 district except for accessory dwelling	
LBCS - 1122 - Zero lot line single-family attached - Traditional Condo	
LBCS - 1140 - Townhouses - A type of structure that has three (3) or more separate dwelling units divided vertically. Each unit has separate entrances to a front and rear yard.	
LBCS - 1200 - Multi-family structures - These structures accommodate three (3) or more dwelling units.	
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 - 1310 - Bed and breakfast inn	
LBCS - 1320 - Rooming and boarding - <i>Only the following are permitted:</i>	
➤	Dormitories
➤	Fraternity houses
➤	Hostels
➤	Sorority houses
➤	Workers' dormitories
➤	Youth hostels

Sec. 30-30 R-3 Development Regulations

- A. A development plan is required for any development in an R-3 district.
- B. Any structure adjacent to any street shall have articulation every twenty-five (25) feet.

Sec. 30-40 R-3 Development Standards

R-3 developments shall be designed in accordance with Table 30-2, Dimensional Development Standards.

Table 30-2. Dimensional Development Standards

<i>DIMENSION</i>	<i>MEASUREMENT</i>												
Minimum lot area for single-family detached dwelling unit	8,000 square feet												
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												
Minimum lot width	80 feet												
Maximum lot coverage	35%												
Minimum depth of front yard	25 feet												
Minimum depth of rear yard	20 feet												
Minimum width of each side yard	10 feet												
Maximum height	40 feet												
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												
Minimum floor area of living space (Floor area per unit measured by outside measurements)	<table> <tr> <td>Single-family dwelling</td><td>1,200 sq. ft.</td></tr> <tr> <td>Duplex</td><td>1,000 sq. ft.</td></tr> <tr> <td>Multi-family unit:</td><td></td></tr> <tr> <td> One-bedroom</td><td>750 sq. ft.</td></tr> <tr> <td> Two-bedroom</td><td>900 sq. ft.</td></tr> <tr> <td> Three or more bedrooms</td><td>1,000 sq. ft.</td></tr> </table>	Single-family dwelling	1,200 sq. ft.	Duplex	1,000 sq. ft.	Multi-family unit:		One-bedroom	750 sq. ft.	Two-bedroom	900 sq. ft.	Three or more bedrooms	1,000 sq. ft.
Single-family dwelling	1,200 sq. ft.												
Duplex	1,000 sq. ft.												
Multi-family unit:													
One-bedroom	750 sq. ft.												
Two-bedroom	900 sq. ft.												
Three or more bedrooms	1,000 sq. ft.												
Minimum usable open space	600 square feet per dwelling unit												
Number of parking spaces	2 per dwelling unit, including garage(s)												

Sec. 30-50 Usable Open Space and Acceptable Areas

- A. Usable open space – An unobstructed portion of a lot which has minimum dimension of ten (10) feet in every direction; is landscaped and developed for active or passive recreational and leisure use; and is conveniently located and accessible. Open space intended to serve all the units of a project shall be accessible and convenient to all units. Private open space shall be accessible and convenient to the unit(s) intended to be served.
- B. In addition, the following spaces shall contribute to required usable open space areas:
1. Private balconies, provided that the minimum size of the balcony is at least sixty (60) square feet.
 2. Roof areas designed and equipped to accommodate recreational and leisure activities.
 3. Recreation rooms.
 4. Leisure trail.
- C. A minimum of sixty percent (60%) of the required usable open space shall be provided at grade and unenclosed.
- D. The following areas shall not contribute to required usable open space:
1. Driveways and parking areas.
 2. Refuse storage areas.

3. Walkways and sidewalks.
4. Parking lot islands.

Sec. 30-60 Building Permits

The Building Commissioner shall not issue a Building Permit for an R-3 development until the Planning Department has approved the plans.

Sec. 30-70 Landscaping

See Division 180 - Landscape Regulations.

Sec. 30-80 Lighting

See Division 190 – Lighting Regulations.

Sec. 30-90 Signs

See Division 200 – Sign Regulations.

Sec. 30-100 Parking

See Division 195 – Off-street Parking and Loading.

Sec. 30-110 Assess Management Plan

See Division 155 – Access Management Plan.

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Sec. 35-10 **Specific Purpose**

This district is intended for commercial development, leasing, and location of mobile home parks regulations and control of mobile homes within the manufactured home park (MHP) sites. It is further intended that mobile home parks be well designed and adhere 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 or 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 **Land Use Classification**

No mobile home, manufactured home, building or structure, or part thereof, shall be installed, erected, altered, or used, or land used, in whole or in part, for other than one or more of the following specified permitted uses in Table 35-1. Additional LBCS may be included; See Division 225 - Special Exception.

Table 35-1. Land Use Classification

USES PERMITTED BY RIGHT

LBCS - 1150 - Manufactured housing - Also commonly referred to as factory-built housing, which includes modular, mobile, and manufactured homes

Table 35-1. Land Use Classification***USES PERMITTED BY RIGHT***

LBCS - 2310 - Real estate services - *Only the following are permitted:*

- Manufactured (mobile) home parks
- Manufactured (mobile) home sites rental or leasing
- Motor home rental on site
- Residential trailer parks
- Trailer park or court, residential

LBCS - 2321 - Commercial property related - *Only the following are permitted:*

- Self-storage warehousing - By Special Exception self-storage units or mini warehouse limited to the number of mobile homes in the mobile home park

LBCS - 2322 - Rental housing related - *Only the following are permitted:*

- Mobile (manufactured) home, on site rental or leasing

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 when the drawings of the scale require more than two (2) sheets, then plans may be drawn on a scale of two hundred (200) feet to one (1) inch. All plans shall 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, and sections in municipal, corporate lines within or adjacent to the tract.
 3. Location of existing sanitary and storm lines and facilities; waterline; 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 with 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 and street lights.
 8. Location of fire hydrants.
 9. Location of dumpsters with dumpster enclosures.
 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, and 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 new streets, that are 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. Layout, dimensions, and number of Manufactured Home Parks, lots, or sites.
 5. Parcels of land to be offered for dedication 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; and signs within the Manufactured Home Park and
 8. Sewer, 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 grant one (1) extension for a period of thirty (30) days, provided good cause is shown by the applicant and upon application. 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 plan has not been approved within this time, the preliminary plan must again be submitted to the Plan Commission for approval.
 4. Any person feeling themselves 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 preliminary 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

Final development plan approval takes place after Plan Commission approves of the preliminary development plans, and when the requirements of these regulations are fulfilled:

- 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 the preliminary development plan as approved, or such portions of it, which will provide consecutive development units and shall contain 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, and the final development plan is submitted to the Plan Commission not less than ten (10) 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 final development plan, it shall set its reason in its own record 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 Dimensional Development Standards

MHP developments shall be designed in accordance with Table 35-2, Dimensional Development Standards.

Table 35-2. Dimensional Development Standards	
<i>Dimensional</i>	<i>Measurement</i>
Minimum MHP lot area	5 acres
Minimum manufactured home site area	5,000 square feet
Minimum manufactured home site width	40 feet
Maximum lot coverage	30%
Minimum depth of front yard	15 feet
Minimum depth of each side yard	5 feet
Minimum depth of rear yard	15 feet
Minimum floor area	600 square feet
Number of parking spaces	2 per dwelling unit

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.

Sec. 35-110 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 Planning Department shall assign the street address.

Sec. 35-120 Water and Sewage

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

Sec. 35-130 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. 35-140 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. 35-150 Streets

Streets in a Manufactured Home Park shall be private and privately maintained. 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. In the event streets are not dedicated, the Manufactured Home Park owner shall construct streets to town standards.

Sec. 35-160 Grading and Drainage

Prior to construction, drainage plans shall be submitted to the Plan Commission office with a development plan for approval. All storm drainage lines must be situated underground. Manufactured Home Parks shall be designed in conformance with town storm water ordinances. There shall be no increase in run-off due to the construction and operation of the Manufactured Home Park.

Sec. 35-170 Illumination of Park

All Manufactured Home Parks shall be furnished with lighting fixtures, so spaced and equipped with street lights placed at such mounting height, and at such locations within the park so as to provide safe movement of pedestrians and vehicles. Street lights shall be located 600 foot apart and at all entrances, intersections, 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 the subdivision ordinance. Every part of a Manufactured Home Park shall be lighted and meet the requirements of Division 190 of this zoning ordinance.

Sec. 35-180 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. 35-190 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, accidents, 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 a 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. 35-200 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 ten (10) feet to any property line.
- B. Swimming pools, related facilities, and all recreational areas shall be located within the Manufactured Home Park, but not less than one hundred (100) feet from the boundary of the Manufactured Home Park. The swimming pool shall be adequately secure to prevent unauthorized use.
- C. Public and semi-public swimming pools shall comply with this Zoning Ordinance, the Codified Ordinance, or the Indiana Swimming Pool code, as may be amended, whichever is stricter.

Sec. 35-210 Abandonment and Expiration

In the event a Manufactured Home Park is abandoned for a period of one (1) year, or if the Manufactured Home Park has not been substantially completed as determined by the Plan Commission upon expiration of three (3) years from the zoning change, the land shall be again rezoned to its former zoning classification by the Plan Commission, after a proper zoning application has been filed by the Commission. Provided good cause is shown upon application and public notice has been published as required by law, the Commission may grant one (1) extension for the period of one (1) year. Such application for extension shall be filed with the commission six (6) months prior to the expiration of the aforesaid three (3) years.

Sec. 35-220 Building Permits

The Building Commissioner shall not issue a Building Permit for a Manufactured Home Park development until the Planning Department has approved the plans.

Sec. 35-230 Landscaping

See Division 180 - Landscape Regulations.

Sec. 35-240 Lighting

See Division 190 – Lighting Regulations.

Sec. 35-250 Signs

See Division 200 – Sign Regulations.

Sec. 35-260 Parking

See Division 195 – Off-Street Parking and Loading Regulations.

Sec. 35-270 Access Management Plan

See Division 155 - Access Management Plan.

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Sec. 40-10 Specific Purpose

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 professional office and public and semi-public structures are typically much less commercial in height, bulk, and scale, and are architecturally more harmonious with residential structures, this district can serve as a protective zone between residential areas and denser or higher impact districts. New planned community developments can use this district for mixed uses that serve the residents of the planned development.

Sec. 40-20 Land Use Classification

Residential Professional Office (RPO) uses shall be in accordance with Table 40-1, Land Use Classification.

Table 40-1. Land Use Classification

<i>USES PERMITTED BY RIGHT</i>
LBCS - 1100 - Detached units - Detached single-family residential structures and site condominiums
LBCS - 1121 - Duplex structures - Generally a two-unit building that is divided vertically, and each unit has a separate entrance from the outside or through a common vestibule.
LBCS - 1140 - Townhouses - A type of structure that has three (3) or more separate dwelling units divided vertically. Each unit has separate entrances to a front and rear yard.
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.)

Sec. 40-30 RPO Dimensional Development Standards

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

Table 40-2. Dimensional Development Standards

<i>Dimensional</i>	<i>Measurement</i>
<i>Residential Use</i>	
Minimum lot area for single-family dwelling unit, detached	6,000 square feet
Minimum lot area for single-family dwelling unit, attached	8,000 square feet
Minimum lot area per unit, two-family duplex	3,630 square feet per unit
Minimum lot width	60 feet
Maximum lot coverage	35%
Minimum depth of front yard	20 feet
Minimum depth of rear yard	20 feet
Minimum width of each side yard	10 feet
Maximum height	35 feet
Maximum dwellings per acre for single-family dwelling units	7.26
Minimum floor area	1,200 square feet
Minimum usable open space	600 square feet per dwelling unit
<i>Non-Residential Use</i>	
Minimum lot area	10,000 square feet
Minimum lot width	100 feet
Maximum lot coverage	35%
Minimum depth of front yard	20 feet
Minimum depth of rear yard	20 feet
Minimum depth of each side yard	10 feet
Maximum height	35 feet

Sec. 40-40 Building Permits

The Building Commissioner shall not issue a building permit for a RPO development until the Planning Department has approved the plans.

Sec. 40-50 Landscaping

See Division 180 - Landscape Regulations.

Sec. 40-60 Lighting

See Division 190 – Lighting Regulations.

Sec. 40-70 Signs

See Division 200 – Sign Regulations.

Sec. 40-80 Parking

See Division 195 – Off-Street Parking and Loading Regulations.

Sec. 40-90 Access Management Plan

See Division 155 - Access Management Plan.

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Sec. 45-10 Specific Purpose

This district is designed to provide specific areas where general office functions, compatible office-type businesses, 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 the permitted uses. Since these offices and public and semi-public structures are typically much less commercial in appearance, and architecturally more harmonious with residential structures, this district can serve as a buffer between residential areas and shopping districts. Equally, this district, with its offices and other buffer-type functions, is designed for use along certain thoroughfares where a gradual transition from existing residential use to commercial use is occurring or should occur.

Sec. 45-20 Land Use Classification

GO uses shall be in accordance with Table 45-1, Land-Use Classification. Additional LBCS may be included. See Division 225 - Special Exception.

Table 45-1. Land Use Classification

<i>USES PERMITTED BY RIGHT</i>	
LBCS - 2131 - Computer and software	<ul style="list-style-type: none"> ➤ Computer equipment stores ➤ Computer stores ➤ Software stores, computer
LBCS - 2135 - Office supply store	
LBCS - 2210 - Bank, credit union, or saving institution - <i>Only the following are not permitted:</i>	<ul style="list-style-type: none"> ➤ Branches of foreign banks ➤ Branches, Federal Reserve Bank
LBCS - 2230 - Investment banking, securities, and brokerages	
LBCS - 2310 - Real estate services - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Agencies, real estate escrow ➤ Agents' offices, real estate escrow ➤ Agricultural property rental leasing ➤ Appraisal services, real estate ➤ Appraisers' offices, real estate ➤ Consultants', real estate (except appraisers), offices ➤ Escrow agencies, real estate ➤ Farmland rental or leasing ➤ Fiduciaries', real estate, offices ➤ Flea market space (except under roof) rental or leasing ➤ Listing services, real estate ➤ Real estate (except building) rental or leasing ➤ Real estate appraisal services ➤ Real estate appraisers' offices

- Real estate asset management services (except property management)
- Real estate consultants' (except agents, appraisers) offices
- Real estate escrow agencies
- Real estate escrow agents' offices
- Real estate fiduciaries' offices
- Real estate listing services

LBCS - 2320 - Property management services

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 - 2421 - Office and administrative services - *Only the following are permitted:*

- Managing offices of dentists
- Managing offices of physicians and surgeons
- Managing offices of professionals (e.g., dentists, physicians, surgeons)

LBCS - 2423 - Employment agency

- LBCS - 2424 - Business support services - *Only the following are permitted:*
- Copy shops (except combined with printing services)
- Dictation services
- Document copying services (except combined with printing services)
- Document duplicating services (except combined with printing services)
- Document transcription services
- Editing services
- Floral wire services (i.e., telemarketing services)
- Mailbox rental centers, private
- Mailbox rental services combined with one or more other office support services, private
- Photocopying services (except combined with printing services)
- Public stenography services
- Stenographic services (except court or stenographic reporting)
- Stenography services, public
- Stenotype recording services
- Transcription services
- Typing services
- Word processing services

LBCS - 2430 - Travel arrangement and reservation services

LBCS - 6210 - Legislative and executive functions - *Only the following are permitted:*

- Advisory commissions, executive government
- Advisory commissions, legislative
- Assessor's offices, tax
- Auditor's offices, government
- Boards of supervisors, county and local
- Budget agencies, government
- Building standards agencies, government
- City and town councils
- City and town managers' offices
- Executive and legislative office combinations
- Executive offices, federal, state, and local
- Parks and recreation commission, government
- Recreational programs administration, government
- Redevelopment land agencies, government

- Treasurers offices', government
- Urban planning commissions, government
- Zoning boards and commissions

LBCS - 6220 - Judicial functions

- Legal counsel offices, government
- Pardon boards and offices
- Probation offices
- Public defenders' offices
- Public prosecutors' offices

LBCS - 6510 - Ambulatory or outpatient care services. Ambulatory or outpatient care establishments offer health care services directly to patients without providing inpatient services - *Only the following are permitted:*

- Acupuncturists' (MDs or DOs) offices (e.g., centers, clinics)
- Allergists' offices (e.g., centers, clinics)
- Doctors of osteopathy (DOs, except mental health) offices (e.g., centers, clinics)
- DOs' (doctors of osteopathy, except mental health) offices (e.g., centers, clinics)
- Family physicians' offices (e.g., centers, clinics)
- MDs' (medical doctors, except mental health) offices (e.g., centers, clinics)
- Medical doctors' (MDs, except mental health) offices (e.g., centers, clinics)
- Physicians' (except mental health) offices (e.g., centers, clinics)
- Surgeons' (except dental) offices (e.g., centers, clinics)
- Walk-in physicians' offices (e.g., centers, clinics)

LBCS - 6511 - Clinics These establishments include physician offices, dentists, chiropractors, optometrists, etc. - *Only the following are permitted:*

- DCs' (doctors of chiropractic) offices (e.g., centers, clinics)
- DDSs' (doctors of dental surgery) offices (e.g., centers, clinics)
- Dental hygienists' offices (e.g., centers, clinics)
- Dental surgeons' offices (e.g., centers, clinics)
- Dentists' offices (e.g., centers, clinics)
- Denturists' offices (e.g., centers, clinics)
- Dialysis centers and clinics
- Dieticians' offices (e.g., centers, clinics)
- DMDs' (doctors of dental medicine) offices (e.g., centers, clinics)
- Doctors of chiropractic (DCs) offices (e.g., centers, clinics)
- Doctors of dental medicine (DMDs) offices (e.g., centers, clinics)
- Doctors of dental surgery (DDSs) offices (e.g., centers, clinics)
- Doctors of optometry (ODs) offices (e.g., centers, clinics)
- Doctors of osteopathy (DOs), mental health, offices (e.g., centers, clinics)
- Doctors of podiatry (DPOs) offices (e.g., centers, clinics)
- Doctors of psychology offices (e.g., centers, clinics)
- DOs' (doctors of osteopathy), mental health, offices (e.g., centers, clinics)
- DPOs' (doctors of podiatry) offices (e.g., centers, clinics)
- Family dentists' offices (e.g., centers, clinics)
- Foot specialists' (podiatry) offices (e.g., centers, clinics)
- LPNs' (licensed practical nurses) offices (e.g., centers, clinics)
- Manual-arts therapists' offices (e.g., centers, clinics)
- MDs' (medical doctors), mental health, offices (e.g., centers, clinics)
- Medical doctors' (MDs), mental health, offices (e.g., centers, clinics)
- Mental health physicians' offices (e.g., centers, clinics)
- ODs' (doctors of optometry) offices (e.g., centers, clinics)
- Optometrists' offices (e.g., centers, clinics)
- Oral and maxillofacial surgeons' offices (e.g., centers, clinics)
- Orthodontists' offices (e.g., centers, clinics)
- Physicians' assistants' offices (e.g., centers, clinics)
- Physicians', mental health, offices (e.g., centers, clinics)
- Podiatrists' offices (e.g., centers, clinics)

- Practical nurses' offices (e.g., centers, clinics), licensed
- Psychiatrists' offices (e.g., centers, clinics)
- Registered nurses' (RNs) offices (e.g., centers, clinics)
- Renal dialysis centers and clinics
- RNs' (registered nurses) offices (e.g., centers, clinics)
- Surgeons', dental, offices (e.g., centers, clinics)

Sec. 45-30 GO Development Standards

GO developments shall be designed in accordance with Table 45-2, Dimensional Development Standards.

Table 45-2. Dimensional Development Standards	
<i>DIMENSION</i>	<i>MEASUREMENT</i>
Single parcel minimum lot area	10,000 square feet
Neighborhood shopping center	30,000 square feet on not more than 3 acres
Minimum lot width single parcel	50 feet
Neighborhood shopping center lot width	100 feet
Maximum lot coverage single parcel	50%
Maximum lot coverage neighborhood shopping center	50%
Minimum depth of front yard	15 feet
Minimum depth of rear yard	30 feet
Minimum depth of each side yard; corner lots shall observe the front yard setback	10 feet
Maximum height	35 feet

Sec. 45-40 Building Permits

The Building Commissioner shall not issue a Building Permit for a General Office development until the Planning Department releases it for construction.

Sec. 45-50 Landscaping

See Division 180 - Landscape Regulations.

Sec. 45-60 Lighting

See Division 190 – Lighting Regulations.

Sec. 45-70 Signs

See Division 200 – Sign Regulations.

Sec. 45-80 Parking

See Division 195 – Off-Street Parking and Loading Regulations.

Sec. 45-90 Access Management Plan

See Division 155 - Access Management Plan.

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Sec. 50-10 Specific Purpose

The purpose of this district is to provide “neighborhood” 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 Land Use Classification

B-1 uses shall be in accordance with Table 50-1, Land-Use Classification. Additional LBCS may be included. See Division 225 - Special Exception.

Table 50-1. Land Use Classification	
USES PERMITTED BY RIGHT	
LBCS - 1310 - Bed and breakfast inn	
LBCS - 2110 - Automobile sale or services establishment - <i>Only the following are permitted:</i>	
➤	Automotive washing and polishing
➤	Car washes
➤	Detailing services (i.e., cleaning and polishing) automotive, no outdoor storage of vehicles or repair
➤	Diagnostic centers with repair, automotive no outdoor storage of vehicles or repair and that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop
➤	Garages, do-it-yourself automotive repair that is in compliance with Section 150-10: Automotive Repair, Paint and Body Shop
➤	Oil change and lubrication shops, automotive
➤	Quick-lube shops
➤	Self-service carwash
LBCS - 2113 - Bicycle, motorcycle, ATV, etc. - <i>Only the following are permitted:</i>	
➤	Bicycle shops, motorized
➤	Moped dealers
➤	Motor scooters dealer
LBCS - 2116 - Gasoline service - <i>Only the following are permitted:</i>	
➤	Convenience food with gasoline stations
➤	Gasoline stations with convenience stores
LBCS - 2120 - Heavy consumer goods sales or service - <i>Only the following are permitted:</i>	
➤	Bicycle repair and maintenance shops without retailing new bicycles
➤	Garment alteration and/or repair shops without retailing new garments
➤	Key duplicating shops
➤	Musical instrument repair shops without retailing new musical instruments

- Tailor shops
- Tuning and repair of musical instruments
- Watch repair shops with or without retailing new watches

LBCS - 2122 - Hardware, home centers, etc. - *Only the following are permitted:*

- Hardware stores - *Not permitted within a big box.*

LBCS - 2123 - Lawn and garden supplies - *Only the following are permitted:*

- Nursery and garden centers without tree production - *Not permitted within a big box.*

LBCS - 2125 - Electronics and Appliances - *Only the following are permitted:*

- Cellular telephone stores
- Telephone stores (including cellular)
- Television and radio stores
- TV (television) stores

LBCS - 2131 - Computer and software store

LBCS - 2133 - Clothing, jewelry, luggage, shoes, etc.

LBCS - 2134 - Sporting goods, toy and hobby, and musical instruments - *Only the following are permitted:*

- Craft supply stores
- Bicycle (except motorized) shops

LBCS - 2135 - Books, magazines, music, stationery

LBCS - 2141 - Florist

LBCS - 2152 - Convenience store

LBCS - 2153 - Specialty food store - *Only the following are permitted:*

- Candy stores, packages, retailing only
- Coffee and tea (i.e., packaged) stores
- Confectionery stores, packaged, retailing only
- Dairy product stores
- Gourmet food stores
- Ice cream (i.e., packaged) stores
- Nut (i.e., packaged) stores
- Spice stores
- Specialty food store

LBCS - 2155 - Beer, wine, and liquor store - *Only the following are permitted:*

- Beer stores, packaged
- Wine shops, packaged

LBCS - 2411 - Legal services

LBCS - 2412 - Accounting, tax, bookkeeping, payroll services - *Only the following are permitted:*

- Accountants' (except CPAs) office
- Accountants' (i.e. CPAs) office

LBCS - 2413 - Architectural, engineering, and related services - *Only the following are permitted:*

- Architects' (except landscaping) office
- Engineers' office
- Planning services

LBCS - 2414 - Graphic, industrial, interior design services - *Only the following are permitted:*

- Graphic artists, independent
- Graphic design services

LBCS - 2335 - Consumer goods rental - *Only the following are permitted:*

- Musical instrument rental

LBCS - 2450 - Services to buildings and dwellings

LBCS - 2451 - Extermination and pest control

LBCS - 2455 - Packing, crating and convention and trade show services

LBCS - 2510 - Full-service restaurant - *No outdoor entertainment*

LBCS - 2520 - Cafeteria or limited service restaurant

LBCS - 2530 - Snack or nonalcoholic bar

LBCS - 2600 - Personal services - *Only the following are permitted:*

- Barber shops
- Beauty and barber shops, combined
- Beauty parlors
- Beauty salons
- Beauty shops
- Coin operated drycleaners and laundries
- Drycleaners (except coin operated)
- Facial salons
- Hair stylist salons or shops, unisex or women's
- 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
- Pick-up 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*

LBCS - 6562 - Child daycare - *Only the following are permitted:*

- Day care center, child or infant

Sec. 50-30 B-1 Development Regulations

- A. No single structure shall exceed five thousand (5,000) square feet in gross area.
- B. No single neighborhood shopping center shall exceed thirty thousand (30,000) square feet in gross area or three (3) acres.
- C. All uses and operations, except off-street loading and all off-street parking, shall be conducted within completely enclosed buildings, except as otherwise specifically permitted in this ordinance.
- D. No outdoor storage shall be permitted, other than refuse containers behind the building. There shall be provisions for access equipment to service such containers. Refuse containers shall meet the requirements of Clarksville Ordinance #2006-G-04.
- E. Minor displays of merchandise shall be placed outdoors, provided such meet the following:
 1. Outdoor displays shall not exceed two hundred (200) square feet in total area.

2. The outdoor display is located immediately adjacent to the primary structure, but not within the required minimum front yard.
3. The outdoor display is maintained in an orderly manner; clean and free of litter, trash, and debris.

Sec. 50-40 B-1 Dimensional Development Standards

B-1 developments shall be designed in accordance with Table 50-2, Dimensional Development Standards.

Table 50-2. Dimensional Development Standards		
<i>DIMENSION</i>	<i>MEASUREMENT</i>	
Minimum lot area	Single-building parcel	10,000 square feet
	Neighborhood shopping center	30,000 square feet but not more than 3 acres
Minimum lot width	Single-building parcel	50 feet
	Neighborhood shopping center	100 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 - corner lots shall observe the front yard setback	15 feet	
Maximum height	25 feet	

Sec. 50-50 Building Permits

The Building Commissioner shall not issue a building permit for a B-1 development until the Planning Department has approved the plans.

Sec. 50-60 Landscaping

See Division 180 - Landscape Regulations.

Sec. 50-70 Lighting

See Division 190 – Lighting Regulations.

Sec. 50-80 Signs

See Division 200 – Sign Regulations.

Sec. 50-90 Parking

See Division 195 – Off-Street Parking Regulations.

Sec. 50-100 Assess Management Plan

See Division 155 - Access Management Plan.

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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 Land Use Classification

B-2 uses shall be in accordance with Table 55-1, Land-Use Classification. Additional LBCS may be included. See Division 225 - Special Exception.

Table 55-1. Land Use Classification***USES PERMITTED BY RIGHT***

Any use permitted by right in a B-1 zone district

LBCS - 1330 - Hotel, motel, or tourist court

LBCS - 2110 - Automobile sales or service establishment, excluding medium & heavy duty trucks - *that is in compliance with Section 150-10: Automotive Repair, Paint, and Body Shop, except the following:*

- Aircraft dealers
- Truck and bus washes
- Truck repair shops, general
- Truck trailer body shops
- Used aircraft dealers
- Used utility trailer dealers

LBCS - 2111 - Car dealer - *that is in compliance with Section 150-10: Automotive Repair, Paint, and Body Shop*

LBCS - 2113 - Bicycle, motorcycle, ATV, etc.

LBCS - 2115 - Parts, accessories, or tires - *Except the following:*

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

LBCS - 2116 - Gasoline service - *that is in compliance with Section 150-10: Automotive Repair, Paint, and Body Shop, except the following:*

- Marine service stations
- Truck stops

LBCS - 2120 - Heavy consumer goods, sales or service - *Only the following are permitted:*

- Air-conditioner, window, repair and maintenance services

- Antique furniture repair and restoration shops
- Appliance, household-type, repair and maintenance services without retailing new appliances
- Bicycle repair and maintenance shops without retailing new bicycles
- Camera repair shops without retailing new cameras
- China repair services
- Clock repair shops without retailing new clocks
- Clothing repair shops, alternations only
- Communication equipment repair and maintenance services
- Computer equipment repair and maintenance services without retailing new computers
- Consumer electronics repair and maintenance services without retailing new consumer electronics
- Cutlery (e.g., knives, scissors) sharpening, household-type
- Dental equipment repair and maintenance services
- Diagnostic imaging equipment repair and maintenance services
- Engine repair (except automotive, small engine)
- Engine repair, small engine
- Facsimile machine repair and maintenance services
- Fax machine repair and maintenance services
- Fur garment repair shops without retailing new fur garments
- Furniture repair shops
- Furniture reupholstering shops
- Garden equipment repair and maintenance services without retailing new garden equipment
- Garden tool sharpening and repair services
- Garment alteration and/or repair shops without retailing new garments
- Gunsmith shops without retailing new guns
- Hand tools, power-driven, repair and maintenance services without retailing new power-driven hand tools
- Jewelry repair shops without retailing new jewelry
- Key duplicating shops
- Laboratory instrument repair and maintenance services
- Lawn and garden equipment repair and maintenance services without retailing new
- Lawn and garden equipment
- Lawn mower repair and maintenance shops without retailing new lawn mowers
- Leather goods repair shops without retailing new leather goods
- Luggage repair shops without retailing new luggage
- Measuring instrument repair and maintenance services
- Medical and surgical equipment repair and maintenance services
- Meteorological instrument repair and maintenance services
- Musical instrument repair shops without retailing new musical instruments
- Office machine repair and maintenance services (except communication equipment)
- Optical instrument repair and maintenance services
- Oven, household-type, repair and maintenance services without retailing new ovens
- Photocopying machine repair and maintenance services without retailing new
- photocopy machines
- Photographic equipment repair shops without retailing new photographic equipment
- Precision equipment calibration
- Public address system repair and maintenance services
- Radio repair and maintenance services without retailing new radios
- Recycling inkjet cartridges
- Restoration and repair of antique furniture
- Re-upholstery shops, furniture
- Saddlery repair shops without retailing new saddlery
- Shoe repair shops without retailing new shoes
- Small engine repair and maintenance shops
- Sporting equipment repair and maintenance without retailing new sports equipment
- Surgical instrument repair and maintenance services
- Surveying instrument repair and maintenance services
- Tailor shops, alterations only

- Telephone equipment repair and maintenance services without retailing new telephone equipment
- Television repair services without retailing new televisions
- Tuning and repair of musical instruments
- Typewriter repair and maintenance services
- Video cassette recorder (VCR) repair services without retailing new video cassette recorders
- Watch repair shops without retailing new watches
- Window shade repair and maintenance shops

LBCS - 2121 - Furniture or home furnishings

LBCS - 2122 - Hardware, home centers

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 - 2132 - Camera and photographic supplies

LBCS - 2133 - Clothing, jewelry, luggage, shoes

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 - 2145 - Antique shops, flea markets, etc. - *Except the following:*

- Flea markets, used merchandise, permanent

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 - 2220 - Credit and finance establishment

LBCS - 2230 - Investment banking, securities, and brokerages - *Except the following:*

- Check cashing services
- Check clearing services (except in central banks)
- Check validation 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 - *Only the following are permitted:***

- Auditorium
- Bank building rental or leasing
- Banquet hall rental or leasing
- Concert hall
- Conference center
- Convention center
- Dance hall
- Dock and associated building
- Exhibition hall
- Hall and banquet room
- Hall, non-residential
- Hotel, building
- Insurance building
- Mall property operation
- Medical building
- Meeting hall and room rental or leasing
- Mini warehouse rental or leasing
- Motel, building
- Nonresidential building except mini warehouse
- Office building
- Professional office building rental or leasing
- Real estate rental or leasing of mini warehouses and self-storage units
- Real estate rental or leasing of nonresidential building except mini warehouse
- Reception hall
- Self-storage unit rental or leasing
- Shopping center
- Theater

LBCS - 2331 - Cars**LBCS - 2332 - Leasing trucks, trailers, RV's, etc. – *Except the following:***

- 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:***

- Agricultural machinery and equipment rental or leasing
 - Bulldozer rental or leasing without operator
 - Crane rental or leasing without operator
 - Construction machinery and equipment rental or leasing without operator
 - Earth moving equipment 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
- Logging equipment rental or leasing without operator
- Manufacturing machinery and equipment rental or leasing
- Material handling machinery and equipment rental or leasing
- Metalworking machinery and equipment rental or leasing
- Mining machinery and equipment rental or leasing
- Oil field machinery and equipment rental or leasing
- Oil well drilling 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
- Well drilling machinery and equipment rental or leasing
- Woodworking machinery and equipment rental or leasing
- Construction machinery and equipment rental or leasing without operator

LBCS - 2335 - Consumer goods rental

LBCS - 2336 - Intellectual property rental (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

LBCS - 2414 - Graphic, industrial, interior design services

LBCS - 2415 - Consulting services (management, environmental, etc.)

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

LBCS - 2417 - Advertising, media, and photography services

LBCS - 2418 - Veterinary services - *Except the following:*

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

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 - 2560 - Caterer

LBCS - 2570 - Food service contractor

LBCS - 2580 - Vending machine operator

LBCS - 2600 - Personal services – *Except the following:*

- Dating services
- Escort services, social
- Comfort station operation

LBCS - 2710 - Pet or pet supply store

LBCS - 2720 - Animal and pet services

- Not within a 750 feet of residential use or zone
 - ❖ Animal shelter
 - ❖ Boarding services, pet
 - ❖ Dog pounds
 - ❖ Guard dog training service
 - ❖ Guide dog training services
 - ❖ Kennels, pet boarding
 - ❖ Pet boarding services
 - ❖ Sitting services, pet

LBCS - 3110 - Food and beverages - *Only the following are permitted:*

- Bakery products, fresh (i.e., bread, cakes, doughnuts, pastries) made in commercial bakeries
- Candy stores, chocolate, candy made on premises not for immediate consumption
- Doughnuts (except frozen) made in commercial bakers (only for immediate sale)

LBCS - 3130 - Textiles - *Only the following are permitted:*

- Apparel, women's, girls, and infants, cut and sew contractors
- Apparel, men's, and boy's, cut and sew contractors

LBCS - 3220 - Paper and printing materials - *Only the following are permitted:*

- 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 - 4135 - School and employee bus transportation

LBCS - 4137 - Taxi and limousine service - *Only the following are permitted:*

- Automobile rental with driver (except shuttle service, taxis)
- Cab (i.e., taxi) services
- Limousine services (except shuttle services)
- Limousines for hire with driver (except taxis)
- Luxury automobiles for hire with driver (except taxis)
- Passenger limousine rental with driver (except shuttle service, taxi)
- Passenger van rental with driver (except shuttle service, taxi)
- Taxicab dispatch services
- Taxicab fleet operators
- Taxicab organizations
- Taxicab owner-operators
- Taxicab services

LBCS - 4138 - Towing and other road and ground services without outdoor storage - *Only the following are permitted:*

- Emergency road services (i.e., tow service)

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.

LBCS - 4212 - Software publishing

LBCS - 4230 - Telecommunications and broadcasting

LBCS - 4231 - Radio and television broadcasting

LBCS - 4232 - Cable networks and distribution

LBCS - 4233 - Wireless telecommunications

LBCS - 4234 - Telephone and other wired telecommunications

LBCS - 4240 - Information services and data processing industries

LBCS - 4241 - Online information services

LBCS - 4242 - Libraries and archives

LBCS - 5110 - Theater, dance, or music establishment - *Except the following:*

➤ Burlesque companies

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

LBCS - 5150 - Agent for management services

LBCS - 5210 - Museum

LBCS - 5310 - Amusement or theme park establishment

LBCS - 5320 - Games arcade establishment

LBCS - 5340 - Miniature golf establishment

LBCS - 5360 - Marina or yachting club facility operators

LBCS - 5370 - Fitness, recreational sports, gym, or athletic club

LBCS - 5380 - Bowling, billiards, pool, etc.

LBCS - 5390 - Skating rinks, roller skates, etc.

LBCS - 6110 - Nursery and preschool

LBCS - 6120 - 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. *Includes the following:*

❖ 6121 Elementary

❖ 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.

❖ 6126 Adult education services

LBCS - 6130 - Colleges and Universities

LBCS - 6140 - Technical, trade, and other specialty schools

LBCS - 6141 - Beauty schools

LBCS - 6142 - Business management

LBCS - 6143 - Computer training

LBCS - 6144 - Driving education

LBCS - 6145 - Fine and performing arts education

LBCS - 6147 - Sports and recreation education

LBCS - 6200 - Public administration

LBCS - 6210 - Legislative and executive functions

LBCS - 6220 - Judicial functions

LBCS - 6430 - Emergency response

LBCS - 6500 - Health and human services - *Only the following are permitted:*

- Blood pressure screening facilities
- Blood pressure screening services
- Health screening services (except by offices of health practitioners)
- Hearing testing services (except by offices of audiologists)
- Pacemaker monitoring services
- Physical fitness evaluation services (except by offices of health practitioners)
- Smoking cessation programs
- Stop smoking clinics

LBCS - 6510 - Ambulatory or outpatient care

LBCS - 6511 - Clinics – *Except the following:*

- Pain therapy centers and clinics, outpatient

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

LBCS - 6561 - Child and youth services

LBCS - 6562 - Child day care

LBCS - 6563 - Community food services

LBCS - 6564 - Emergency and relief services

LBCS - 6565 - Other family services

LBCS - 6566 - Services for elderly and disabled

LBCS - 6567 - Veterans affairs

LBCS - 6568 - Vocational rehabilitation

LBCS - 6710 - Funeral homes and services

LBCS - 6720 - Cremation services and cemeteries

LBCS - 6810 - Labor and political organizations

LBCS - 6820 - Business associations and professional membership organization

LBCS - 6830 - Civic, social, and fraternal organizations

LBCS - 7110 - Residential construction

LBCS - 7120 - Land development and subdivision

LBCS - 7130 - Industrial, commercial and institutional building construction

LBCS - 7210 - Building equipment and machinery installation contractors

LBCS - 7300 - Special trade contractor

LBCS - 7310 - Carpentry, floor, and tile contractor

LBCS - 7330 - Electrical contractor

LBCS - 7340 - Glass and glazing contractor

LBCS - 7350 - Masonry and drywall contractors

LBCS - 7360 - Painting and wall covering

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

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

Sec. 55-30 B-2 District Regulations

- A. Minor displays of merchandise shall be placed outdoors, provided such meet the following:
1. Product display areas exceeding two hundred (200) square feet shall be concealed by an opaque six-foot tall fence of solid material.
 2. The outdoor display is located immediately adjacent to the primary structure, but not within the required minimum front yard.
 3. The outdoor display is maintained in an orderly manner; clean and free of litter, trash, and debris.
- B. For the following list of uses, all supplies and equipment shall be completely contained within a building:
- LBCS - 2413 - Architectural, engineering, and related services
 - LBCS - 2414 - Graphic, industrial, interior design services
 - LBCS - 2415 - Consulting services (management, environmental, etc.)
 - LBCS - 2417 - Advertising, media, and photography services

Sec. 55-40 B-2 Dimensional Development Standards

B-2 developments shall be designed in accordance with Table 55-2, Dimensional Development Standards.

Table 55-2. Dimensional Development Standards	
<i>DIMENSION</i>	<i>MEASUREMENT</i>
Minimum lot area	10,500 square feet
Minimum lot width	50 feet
Maximum lot coverage	50%
Minimum depth of front yard	25 feet
Minimum depth of rear yard	15 feet
Minimum depth of each side yard	10 feet
Maximum height	50 feet

Sec. 55-50 Building Permits

The Building Commissioner shall not issue a building permit for a B-2 development until the Planning Department has approved the plans.

Sec. 55-60 Landscaping

See Division 180 - Landscape Regulations.

Sec. 55-70 Lighting

See Division 190 – Lighting Regulations.

Sec. 55-80 Signs

See Division 200 – Sign Regulations.

Sec. 55-90 Parking

See Division 195 – Off-Street Parking and Loading Regulations.

Sec. 55-100 Assess Management Plan

See Division 155 - Access Management Plan.

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Sec. 60-10 SPECIFIC Purpose

Adult business uses are considered objectionable land uses. No part of this Division 60 is intended to limit, 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 to peaceably 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 land uses, including adult business uses.

Adult business is 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.

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

- 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, and 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); *Schultz v. City of Cumberland*, 26 F.Supp.2d 1128 (W.D. Wisc 1998); and *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 cases 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 Books, 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. These acts constitute a public nuisance and pose a risk to public health through the spread of sexually transmitted diseases.
- F. This district is intended to regulate permitted adult businesses and provide standards to separate these objectionable uses from certain other uses. Nothing in this Division 60 shall be interpreted as permitting adult businesses in areas other than in an AB district.
- G. 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 Permitted Uses

- A. Adult bookstore.
- B. Adult cabaret.
- C. Adult media shop/store: An establishment that rents and/or sells media meeting any of the following three tests:
 - 1. Twenty-five percent (25%) or more of the gross public floor area is devoted to adult media.
 - 2. Twenty-five percent (25%) or more of the stock-in-trade consists of adult media.
 - 3. It advertises or holds itself out in any forum as "XXX," "adult," "sex," or otherwise as an Adult Business.

- D. Adult motion picture theater.
- E. Adult video store.
- F. Sexually oriented toys, novelties, and devices shop.
- G. Adult arcade.
- H. Adult entertainment establishment.
- I. Adult novelty store.
- J. Adult theater.
- K. Adult entertainment establishment.
- L. Adult mini-motion picture theater.
- M. 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 or selling alcoholic beverages.
- 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. No Adult Business District, Adult Business, or Adult Business use shall be located within five hundred (500) feet of any R-1, R-2, R-3, RPO, MD, MHP, VPCZ, EBCZ, CLMU, or B-1 zone district, unless separated by a navigable stream, interstate highway, or principal or minor arterial street. No Adult Business District, Adult Business, or Adult Business use shall be located or expanded 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 or preschool facility; or public or private park, playground, or recreational area within the Town unless separated by a navigable stream, interstate highway, freeway, or principal or minor arterial street. In all cases, distances shall be measured in a straight line, without regard to intervening structures, from the closest parcel line of each lot.
- B. No adult business may have any dynamic signage including, but not limited to blinking, rotating, scrolling, racing, neon, or flashing lights visible from outside the establishment.
- C. No one under the age of eighteen (18) shall be permitted on the premises.
- D. No person shall knowingly or intentionally appear in a state of full nudity or engage in specified sexual acts (any act of sexual intercourse, sodomy, oral copulation, masturbation, or other act performed for sexual gratification).
- E. 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 elevated at least two (2) feet from the floor.
- F. No employee, while semi-nude, shall receive directly any pay or gratuity from a patron or customer.

- G. 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

- A. 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.
- B. The appearance of buildings for adult uses shall be consistent with the appearance of surrounding buildings in architectural design, colors, and materials, and not employ unusual color or building design. The following standards apply:
- C. Interior Layout and Design Regulations:
1. One licensed employee shall be 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 have 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 assures 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 (5) 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 or holes of any kind shall exist in the walls between viewing rooms or booths. No tape or other temporary measure may be placed over any such opening or hole. If any such opening or hole exists or is made, it shall immediately be repaired to the condition of a permanent finished wall of the type installed in the remainder of the structure.
 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 shall be nonporous, easily cleanable surfaces, with no rugs or carpeting.
 11. All wall surfaces and ceiling surfaces in viewing booths shall be constructed of, or permanently covered by, nonporous, easily cleanable material. No wood, plywood, composition board, or other porous material shall be used within forty-eight (48) inches of the floor.
- D. Facades and Exterior Walls:
1. Facades or exterior walls exceeding forty (40) feet in length, as measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent (3%) 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.
 - d. Architectural or structural elements that may include, but are not limited to projecting ribs or offsets.
 - e. Other similar change in the façade meeting the intent and purpose of this division, and approved by the Plan Commission staff.

- f. Roofs shall have parapets that conceal rooftop equipment, including HVAC units, from public view. Parapets shall not exceed one-third (1/3) of the height of the supporting wall.

E. Windows

No pictures, publications, videotapes, posters, movies, covers, or other such 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, sign, or commercial message on a window shall be included in the percentage of façade coverage for signage.

F. Materials and Colors

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

G. 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. Architectural details that are integrated into the building structure and design.

H. 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 to the site shall be permitted from or through an R-1, R-2, R-3, RPO, MED, OTC, OPS, MHP, VPCZ, CLMU, or EBCZ zone district.
3. No structure shall be within fifty (50) feet of a public way or fifty (50) feet from any adjoining property lines.

4. 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 (PA) system shall be permitted.

The noise levels shall be developed in accordance with Table 60-1.

Table 60-1. Noise Levels in Decibels

Zones	Time of Day	
	Daytime	Nighttime
Business	78	70

I. Signs

No signs, graphics, pictures, publications, videotapes, movies, covers, merchandise or other implements, or items advertising, depicting, describing, or relating to sexual conduct or sexual excitement shall be displayed in the windows of, or on the building exterior walls 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 thirty-five (35) feet in height.
2. Exterior signs shall not cover more than seven percent (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 movement in any manner such as animation, fading, flashing, blinking, racing, rotating, scrolling, chasing.

J. Prohibited Signs:

1. Billboards.
2. Roof signs, 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 blown by mechanical means or natural wind.
7. Off-premise signs.

K. Landscaping

Landscaping shall be in conformance with Division 180 of this Ordinance unless otherwise approved in the development plan review. However, a twenty-five (25) foot wide vegetated buffer shall be installed. The landscaping shall be of at least eight (8) 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.

L. Development Plan Review

A development plan conforming to Division 170 of this Ordinance 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 that shows the distances between the proposed adult business establishment and the nearest residential zoning district; public or private elementary or secondary school; religious institution, church, or house of worship; public park or recreation area; child day care or preschool; nursing home; 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 establish 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 AB Dimensional Development Standards

AB developments shall be designed in accordance with Table 60-2, Dimensional Development Standards.

Table 60-2. Dimensional Development Standards	
<i>DIMENSION</i>	<i>MEASUREMENT</i>
Maximum lot coverage	35%
Minimum depth of front yard	30 feet
Minimum depth of rear yard	20 feet
Minimum side yard	20 feet
Maximum height	35 feet

Sec. 60-70 Enforcement Officer

Notwithstanding any other provision of this Zoning Ordinance, the duly appointed Building Commissioner of the Town and/or his designee(s) shall be the Enforcement Officer of the regulations in this Division 60. The Enforcement Officer shall be entitled to request that any duly authorized Indiana law enforcement officer, of the Town or otherwise, accompany them during any inspection made under Section 60-80.

Sec. 60-80 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 twenty (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 thirty-two (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 and should be drawn to a designated scale, or to an accuracy of plus or minus six (6) inches. Internal dimensions of all areas of the interior of the premises shall be noted. The Town may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared.
- C. The Building Commission 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 eighteen (18) years of age.
 - 2. An applicant is delinquent in the payment to the Town of any 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 Division 60 for issuance of the license.
 - 4. An applicant has been convicted of a felony or Class A misdemeanor crime. The fact that a conviction is being appealed shall have no effect under this division. For the purpose of this division, "conviction" shall mean:
 - a. A conviction or a guilty plea; and
 - b. Includes a conviction of any business entity for which the applicant had a management responsibility or a controlling ownership interest, either directly or indirectly, at the time of the offense leading to the conviction for a disqualifying criminal activity.
 - 5. The license application fee required by this Division 60 has not been paid.
 - 6. An applicant has falsely answered a question or request for information on the application form.
 - 7. The proposed location 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 Town's Zoning Ordinance.
- D. The license, if granted, shall comply with the following:
 - 1. 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.
 - 2. An Adult Business employee license shall contain a photograph of the licensee.
 - 3. 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.
 - 4. 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 any law enforcement officer or other authorized Town official or representative.
- E. The following fees shall apply for the application of an Adult Business License:
 - 1. An applicant for an Adult Business license shall pay an initial license fee in the sum of one thousand dollars (\$1,000.00) and an annual renewal license fee in the sum of five hundred dollars (\$500.00), which fees shall be fully non-refundable.

2. An applicant for an Adult Business employee license shall pay an initial license fee in the sum of five hundred dollars (\$500.00) and an annual renewal license fee in the sum of two hundred fifty dollars (\$250.00), which fees shall be fully non-refundable.

Sec. 60-90 Inspection

For the purpose of ensuring compliance with this Division 60, an applicant, operator, or licensee shall permit the Enforcement Officer or his designee to inspect, at any time the business is occupied or open for business, those portions of the premises of an Adult Business in which patrons or customers are permitted to occupy.

Sec. 60-100 Expiration of License

- A. Each license shall expire at midnight on December 31 of the year of issuance and may be renewed only by making an 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 thirty (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 (1) year following the date of denial. If, subsequent to the denial, the Town finds that the basis for denial of a renewal license has been corrected or abated, the applicant shall be granted a license if at least ninety (90) days have elapsed since the date the denial became final.

Sec. 60-110 Suspension

The Enforcement Officer may issue written notice of the intent to suspend a license 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 Division 60; or
- B. Refused to allow an inspection of the Adult Business premises as authorized by this Division 60.
- C. The suspension of the license shall continue until the violation and/or non-compliance are cured, or the requested inspection is allowed.

Sec. 60-120 Revocation

- A. The Enforcement Officer may issue written notice of the intent to revoke an Adult Business license if a cause of suspension occurs under Section 60-100 and the license has been suspended within the preceding twelve (12) months.
- B. The Enforcement Officer shall issue a written notice 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 has 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 act performed for sexual gratification to occur in or on the licensed premises. This Section 60-100 will not apply to an adult motel, unless the licensee knowingly allowed prohibited 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 Division 60.
- C. The fact that a conviction is being appealed shall have no effect on the revocation of the license.
- D. When, after notice and hearing provided in Section 60-100, the Enforcement Officer revokes a license, the revocation shall continue for a period of one (1) year, and the licensee shall not be issued an Adult Business license during the period of one (1) year following the date the license revocation becomes effective. However, provided the licensing requirements are met, a provisional license will be granted pursuant to the provisions of Section 60-110. If, subsequent to revocation, the Enforcement Officer finds that the basis for the revocation found in this Division 60 has

been corrected or abated, the revocation shall be withdrawn and the applicant shall be granted a license if at least ninety (90) days have elapsed since the date the revocation became effective.

Sec. 60-130 Hearing, License Denial, Suspension, Revocation, Appeal

- A. If the Enforcement Officer determines that facts exist supporting the denial, suspension, or revocation of a license under this Division 60, the Enforcement Officer shall notify the applicant or licensee (each a "respondent") in writing of the intent to deny, suspend, or revoke the license, including the grounds therefore, by personal delivery, or by certified mail with return receipt requested. The notification shall be directed to the most current business address on file with the Enforcement Officer. Within five (5) business days following receipt of any such notice, the respondent may provide the Town Council, by personal delivery or certified mail with return receipt requested, to the Town Clerk-Treasurer, a written appeal that shall include a statement of reasons why the license or permit should not be denied, suspended, or revoked. Within three (3) business days following the receipt of respondent's written response, the Town Council shall notify respondent in writing of the hearing date on respondent's appeal of the license denial, suspension, or revocation.
- B. Within ten (10) business days following 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 respondent's behalf. If a response is not received by the Town Council in the time stated, or if after the hearing a majority of the Town Council finds that sufficient grounds as specified in this Division 60 exist to support the denial, suspension, or revocation of the license, the Town Council shall issue a written notice to the respondent by certified mail with return receipt requested, within five (5) business days following the hearing that the denial, suspension, or revocation of the license is final. Such notice shall include a statement advising the respondent of the right to judicial review of the Town Council's final official action pursuant to applicable Indiana law.
- C. If a majority of the Town Council finds that insufficient grounds exist for the denial, suspension, or revocation of a license, then within five (5) business 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 with return receipt requested, of such action and shall contemporaneously issue the license.
- D. When a respondent files an action in a court of competent jurisdiction seeking judicial review of the final denial, suspension, or revocation of a license, subsequent to notice and hearing held in accordance with this Section 60-110, the Town shall immediately issue the respondent a provisional license. The provisional license shall allow the respondent 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 final and appealable judgment on the respondent's claims.

Sec. 60-140 Transfer of License

A licensee shall not transfer their 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 approved application.

Sec. 60-150 Penalties or Enforcement Actions

A violation of this Division 60 shall be subject to enforcement and the imposition of fines or civil penalties in accordance with Section 270-10.

Sec. 60-160 Severability

Each of the sections and provisions of this Division 60 are hereby declared to be independent sections and provisions, and notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision of said Division 60, 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 Division 60 be deemed invalid, the substantive regulations and restrictions contained herein shall not be affected thereby.

Sec. 60-170 Building Permits

The Building Commissioner shall not issue a building permit for an Adult Business development until the Planning Department has approved the plans.

Sec. 60-180 Landscaping

See Division 180 - Landscape Regulations unless otherwise specified elsewhere in this division, in which case the stricter of the two shall apply.

Sec. 60-190 Lighting

Lighting shall not flash, fade, scroll, spin, rotate, indicate any movement or be dynamic in any manner, and shall be regulated by Division 190 – Lighting Regulations unless otherwise specified elsewhere in this division, in which case the stricter of the two shall apply.

Sec. 60-200 Parking

All parking areas shall be limited to the side and rear yards, and shall be regulated by Division 195 – Off-Street Parking and Loading Regulations unless otherwise specified elsewhere in this division, in which case the stricter of the two shall apply.

Sec. 60-210 Access Management

See Division 155 - Access Management Plan unless otherwise specified elsewhere in this division, in which case the stricter of the two shall apply.

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Sec. 65-10 Specific Purpose

The Medical District (MED) is designed to permit and facilitate the development, expansion, and modernization of medical and hospital complexes or campuses, in which a diversity of uses, functions, and facilities are necessary to perform the medical or hospital's various services to the public; and to permit appropriate land use modifications as necessary to facilitate the highest level of such service.

This district is designed to permit and facilitate the logical association of a diversity of land uses in proximity to medical office buildings or hospital complexes. 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 an environment of safety, quietness, attractiveness, and convenience compatible with medical uses.

Sec. 65-20 Land Use Classification

MED uses shall be in accordance with Table 65-1, Land Use Classification. Additional LBCS may be included. See Division 225 - Special Exception.

Table 65-1. Land Use Classification

<i>USES PERMITTED BY RIGHT</i>	
LBCS - 1330 - Hotel, motel, or tourist court	
LBCS - 2116 - Gasoline services - <i>Only the following are permitted:</i>	
➤ Convenience food with gasoline stations	
LBCS - 2120 - Heavy consumer goods sales or services - <i>Only the following are permitted:</i>	
➤ Surgical instrument repair and maintenance services	
LBCS - 2160 - Health and personal care	
LBCS - 2161 - Pharmacy or drug store	
LBCS - 2163 - Optical - <i>Only the following are permitted:</i>	
➤ Lens grinding, ophthalmic, in retail stores	
➤ Optical goods stores	
LBCS - 2210 - Bank, credit union, or saving institution - <i>Except the following:</i>	
➤ Branches of foreign banks	
➤ Branches, Federal Reserve Bank	
LBCS - 2321- Commercial property-related - <i>Only the following are permitted:</i>	
➤ Medical building rental or leasing	
➤ Meeting hall and room rental or leasing	
LBCS - 2335 - Consumer goods rental - <i>Only the following are permitted:</i>	
➤ Crutches, invalid, rental	
➤ Furniture, home health, rental	
➤ Home and garden equipment rental center	

- Home health furniture and equipment rental
- Home bed rental and leasing (i.e., home use)
- Hospital equipment rental (i.e., home use)
- Hospital furniture and equipment rental (i.e., home use)
- Invalid equipment rental (i.e. home use)
- Oxygen equipment rental (i.e., home use)
- Walker, invalid, rental
- Wheel chair rental

LBCS - 2416 - Research and development services (scientific, etc.) - *Except the following:*

- Agriculture research and development laboratories or services
- Archeological research and development services
- Botany research and development laboratories or services
- Business research and development service
- Chemical research and development laboratories or services
- Computer and related hardware research and development laboratories or services
- Demographic research and development services
- Economic research and development services
- Electronic research and development laboratories or services
- Engineering research and development laboratories or services
- Experimental farms
- Fisheries research and development laboratories or services
- Forestry research and development laboratories or services
- Geological research and development laboratories or services
- Guided missile and space vehicle engine research and development
- Guided missile and space vehicle parts (except engines) research and development
- Industrial research and development laboratories and services
- Mathematics research and development laboratories or services
- Oceanographic research and development laboratories or services
- Physical science research and development laboratories or services
- Physics research and development laboratories or services
- Veterinary research and development laboratories or services

LBCS - 2421 - Office and administrative services - *Only the following are permitted:*

- Managing offices of dentists
- Managing offices of physicians and surgeons
- Managing offices of professionals (e.g., dentists, physicians, surgeons)

LBCS - 2424 - Business support services - *Only the following are permitted:*

- Copy shops (except combined with printing services)
- Dictation services
- Document copying services (except combined with printing services)
- Document duplicating services (except combined with printing services)
- Document transcription services
- Editing services
- Floral wire services (i.e., telemarketing services)
- Mailbox rental centers, private
- Mailbox rental services combined with one or more other office support services, private
- Photocopying services (except combined with printing services)
- Public stenography services
- Stenographic services (except court or stenographic reporting)
- Stenography services, public
- Stenotype recording services
- Transcription services
- Typing services
- Word processing services

LBCS - 2510 - Full-service restaurant - *Only the following are permitted:*

- Bagel shops, full service

➤ Pizza parlors, full service
➤ Pizzerias, full service
➤ Restaurants, full service
LBCS - 2520 - Cafeteria or limited services restaurant
LBCS - 2530 - Snack or nonalcoholic bar
LBCS - 2600 - Personal services - <i>Only the following are permitted:</i>
➤ Automobile parking garages or lots
➤ Nail salons
➤ One-hour photofinishing services
➤ Photofinishing labs, one-hour
➤ Photofinishing services, one-hour
LBCS - 6430 - Emergency response
LBCS - 6510 - Ambulatory or outpatient care services
LBCS - 6511 - Clinics - <i>Except the following:</i>
➤ Pain therapy centers and clinics, outpatient
LBCS - 6512 - Family Planning and outpatient care centers, except the following:
➤ Abortion clinic
➤ Alcoholism treatment centers and clinics (except hospitals), outpatient
➤ Birth control clinic
➤ Detoxification centers and clinics (except hospitals), outpatient
➤ Drug addiction treatment centers and clinics (except hospitals), outpatient
➤ Outpatient treatment centers and clinics (except hospitals) for substance abuse including alcoholism, drug addiction
➤ Outpatient treatment centers and clinics for alcoholism
➤ Outpatient treatment centers and clinics for drug addiction
➤ Substance abuse treatment centers and clinics (except hospitals), outpatient
LBCS - 6513 - Medical and diagnostic laboratories
LBCS - 6514 - Blood and organ banks
LBCS - 6520 - Nursing, supervision, and other rehabilitative services - <i>Only the following are permitted:</i>
➤ Convalescent homes or convalescent hospitals (except psychiatric)
➤ Homes for emotionally disturbed adults or children
➤ Homes for the aged with nursing care
➤ Homes with or without health care, mental disability
➤ Homes, psychiatric convalescent
➤ Hospices, inpatient care
➤ Hospitals, mental disability
➤ Hospitals, psychiatric convalescent
➤ Intermediate care facilities, mental disability
➤ Mental health facilities, residential
➤ Mental health halfway houses
➤ Mental disability facilities (e.g., homes, hospitals, intermediate care facilities) residential
➤ Mental disability homes
➤ Mental disability hospitals
➤ Mental disability intermediate care facilities
➤ Nursing care facilities
➤ Nursing homes
➤ Psychiatric convalescent house or hospitals
➤ Residential group homes for the emotionally disturbed
➤ Rest homes with nursing care
➤ Retirement homes with nursing care
➤ Skilled nursing facilities
LBCS - 6530 - Hospital

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, have been filed with and approved by the Plan Commission.

Sec. 65-40 MED Dimensional Development Standards

MED developments shall be designed in accordance with Table 65-2, Dimensional Development Standards

Table 65-2. Dimensional Development Standards	
<i>DIMENSION</i>	<i>MEASUREMENT</i>
Minimum lot area	10,500 square feet
Minimum lot width	50 feet
Maximum lot coverage	50%
Minimum depth of front yard	25 feet
Minimum depth of rear yard	15 feet
Minimum depth of each side yard	10 feet
Maximum height	50 feet

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:

- A. Are designed so 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 Medical 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.
- F. Provide sidewalks along public streets, excepting the interstate, and provide pedestrian accessibility to available public transit, if any. Sidewalks shall consist of the walkway, curbs, and gutters. Any curb ramps shall meet ADA standards.

The Plan Commission may require conditions or commitments.

Sec. 65-60 Building Permits

The Building Commissioner shall not issue a building permit for a MED development until the Planning Department has approved the plans.

Sec. 65-70 Landscaping

See Division 180 - Landscape Regulations

Sec. 65-80 Lighting

See Division 190 – Lighting Regulations

Sec. 65-90 Signs

See Division 200 – Sign Regulations

Sec. 65-100 Parking Loading

See Division 195 – Off-Street Parking Regulations

Sec. 65-110 Assess Management Plan

See Division 155 - Access Management Plan

SOUTH CLARKSVILLE MIXED-USE ZONING UPDATE

ADOPTED

December 18, 2018

TOWN OF CLARKSVILLE

Town Council

Paul Fetter, President
Tim Hauber, Vice President
Jennifer Voignier, Secretary
John Gilkey
Jaime Hunt
Aaron (A.D.) Stonecipher
David (Red) Worrall

Plan Commission

Tim Hauber, President
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Redevelopment Commission

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Jennifer Voignier, Vice President
John Gilkey, Secretary
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Bill Wilson, School Board Appointee

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Tim Hauber, Town Council, Plan Commission
A.D. Stonecipher, Town Council, Redevelopment Commission
Jennifer Voignier, Town Council, Redevelopment Commission, Plan Commission
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70-1. OVERVIEW

A. INTENT

The regulations of the South Clarksville Mixed-Use (SCMU) district are intended to support appropriately scaled redevelopment in the South Clarksville area based upon the goals of the Town's planning documents. Further, these districts are intended to achieve the following:

1. **Sense of Place.** A sense of place defined by human-scaled development consisting of a variety of high quality buildings and civic spaces with well-designed landscape and streetscapes
2. **Walkable Development.** Walkable development that is comfortable, safe, and interesting for the pedestrian through the use of appropriately scaled blocks, an interconnected system with multiple choices for routes, and prioritization of streets for pedestrians and vehicles.
3. **Mixed-Use.** Vibrant places with a "live-work-play" atmosphere, accommodated through a required mix of uses that activate internal streets and civic spaces during the day and into the evenings, and multi-story development that define the public spaces and create "eyes on the street."
4. **Healthy People.** Provision of outdoor space and activities and connectivity to regional trails and pathways to encourage physical health and well-being, as well as access to "third places" and social gathering places to encourage interaction and mental health support.
5. **Sustainable.** Development that promotes environmental sustainability goals, such as reductions in vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions through pedestrian- and bicycle-friendly design and a low impact on stormwater quality.

B. CODE OVERSIGHT

1. **Presentations to Plan Commission.** Staff shall provide a report to the plan commission at least every quarter on approved and disapproved projects with the intent of making recommendations for code revisions and/or interpretations.
2. **Five-Year Review.** Every 5 years this Division 70 shall be reviewed in conjunction with a report of built and proposed projects to

make recommendations for revisions and/or interpretations of the code.

C. ORGANIZATION OF CODE

1. **Overview.** [Sec. 70-1](#) provides the introductory provisions for the SCMU district regulations, including such items as mapping and procedures.
2. **Master Plan Sites.** [Sec. 70-2](#) provides requirements for the introduction of new streets and open space, and the use of multiple building types on larger developments
3. **Building Types.** [Sec. 70-3](#) outlines the permitted building forms within the districts. Allowable building form is established by a series of building types that contain regulations for locating the buildings and parking on the site, the height of the buildings, the uses located within the building, and facade and roof requirements. Permitted uses within each district are also defined in this section.
4. **Uses.** [Sec. 70-4](#) outlines the uses permitted within the building types. This section also includes definitions of the uses.
5. **General Building Design.** Design requirements applicable to all building types are defined in [Sec. 70-5](#). Building materials, balcony design, and window design are examples of regulations included in this section.
6. **General Site Design.** Design requirements applicable to the site are included in [Sec. 70-6](#). Landscape requirements, parking lot design, and signs are examples of regulations established in this section.
7. **Definitions & Measuring.** Definitions and methods for measuring requirements in this Division 70 are included in [Sec. 70-7](#).

D. MAPPING

1. **Town Zoning Map.** These regulations apply to the SCMU district as mapped on the Town's official zoning map.
2. **Regulating Map.** The regulating map in [Figure 70.1.G-1](#) provides a key to the development regulations in this Division 70 as follows:

70-1. Overview Mapping

KEY

- STOREFRONT BUILDING TYPE
- STOREFRONT, GENERAL - OFFICE, OR GENERAL-RESIDENTIAL BUILDING TYPES
- COMMERCIAL MANOR BUILDING TYPE
- GENERAL-OFFICE, OR ROW-OFFICE BUILDING TYPE
- WORKSHOP BUILDING TYPE
- GENERAL-RESIDENTIAL OR ROW-RESIDENTIAL BUILDING TYPE
- GENERAL RIVERFRONT BUILDING TYPE

- MASTER PLAN SITE
- OPEN SPACE TYPES, RIVERFRONT PARK
- WOERNER AVE UPPER STORY STEP-BACK
- FLOOD WALL UPPER STORY STEP-BACK AT COMMERCIAL MANORS
- ADDITIONAL HEIGHT PERMITTED ON PERMITTED BUILDING TYPES
- NEW ALLEY, GARAGE ACCESS, SERVICE DRIVE

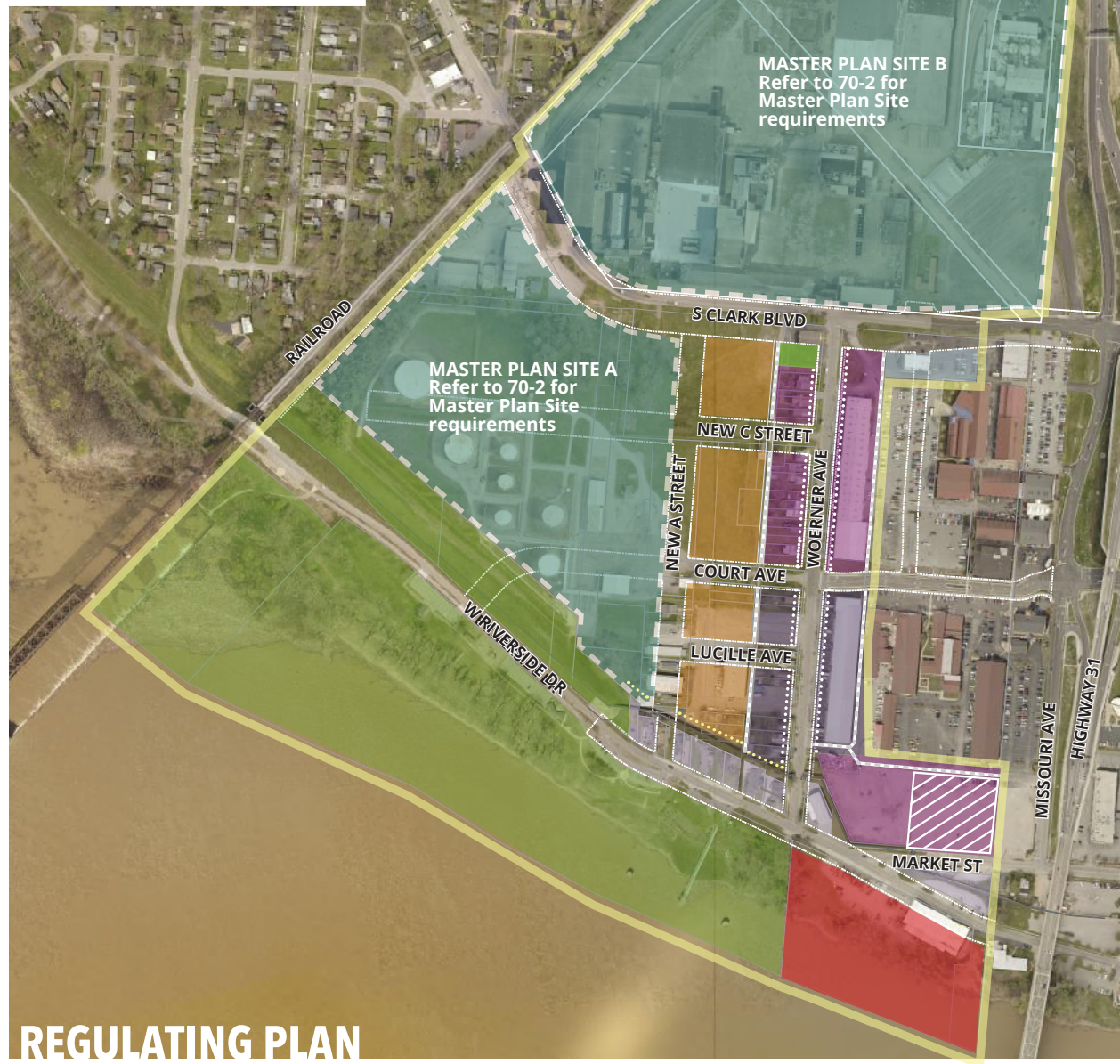


Figure 70.1.G-1. South Clarksville Mixed-Use District Regulating Plan

KEY




-  PRIMARY STREET
-  NON-PRIMARY STREET
-  NEW ALLEY,
GARAGE ACCESS,
SERVICE DRIVE



Figure 70.1.G-2. **South Clarksville Mixed-Use District Primary Street Map**

District Development Plan Process

- a. **Building Types.** Building types are defined and regulated in [Sec. 70-3](#). Permitted locations for each building type is shown on the regulating map, [Figure 70.1.G-1](#).
 - b. **Civic Building Type.** The Civic building type may be located anywhere in the SCMU district. Refer to [Sec. 70-3](#) for Civic building type regulations.
 - c. **Required Step-backs.** Upper story step-backs are shown on the regulating plan for geographic referenced. Specific requirements for step-backs are included by building type in [Sec. 70-3](#).
 - d. **Additional Height.** Additional building height allowed per the building type regulations in [Sec. 70-3](#) is shown on the regulating plan for specific geographic reference.
 - e. **Master Plan Sites.** Three areas are required to be master planned per [Sec. 70-2](#). Each Master Plan Site A, B, and C shall be planned fully within the outlines shown.
3. **Primary Streets Map.** In the SCMU district, the front lot line is determined by the primary street designation primary streets map in [Figure 70.1.G-2](#). Some requirements for building types are specific to these frontages. For example, these designations prioritize the street frontages for locating the front facade of the building and limit vehicular access to parking off these streets.
 - a. **Master Plan Site Primary Streets.** For areas designated on the regulating map as a master plan district, refer to [Sec. 70-2](#) for requirements for designating new primary streets in the developments.
 - b. **Two Primary Streets.** When multiple primary streets abut a parcel, the planning director shall determine which frontages shall serve as the primary, unless otherwise specified. A minimum of 50 percent of lot frontage is required to be treated as primary frontage.
 - c. **Alley, Garage Access, Service Drives.** Locations of proposed alleys, garage access, or service drives is shown, to illustrate potential locations off non-primary or primary streets. Refer to the building types for driveway access locations.
 - d. **Civic Space.** Frontages on civic open space shown on the Primary Streets Map, provided through the Master Plan Sites requirements, or otherwise determined by the planning director shall be treated as primary frontages.

E. DISTRICT DEVELOPMENT PLAN PROCESS

An approved District Development Plan is required prior to approval of any building permit within the SCMU district as designated on the Town's zoning map.

1. **Pre-Submittal Meeting.** A pre-submittal meeting is required with the planning director and his/her recommended staff.
2. **District Development Plan Approval - MASTER PLAN SITE.** For developments within the master plan subdistrict per the regulating plan ([Figure 70.1.G-1](#)), an application shall be submitted for review and approval of the District Development Plan - master plan site. Refer to [Figure 70.1.G-3](#) for a flow chart of the process.
 - a. **Applicable Area.** The master development plan shall include all properties in the mapped outline per [Figure 70.1.G-1](#); however, the project implementation may be phased.
 - b. **Submittals Required.** The following list of submittals is required to accompany the application, unless otherwise determined by the planning director.
 - (1) Narrative Information. A project narrative shall be provided including the following:
 - (a) Total area in development project including legal description.
 - (b) Ownership and contact information.
 - (c) Intent of development
 - (2) Project Phasing. Description and mapping of project timing and phasing, including all components (such as utilities, streets, parking, civic spaces, landscaping, uses, building types). Phasing shall consider the following:
 - (a) Streets or portions of streets abutting a new building shall be constructed during the same phase as the building. Half-streets are not permitted.
 - (b) Civic space required for a building shall be constructed during the same phase as the building.
 - (c) At least two points of access are required for construction on the interior of any master plan site.

DISTRICT DEVELOPMENT PLAN PROCESS

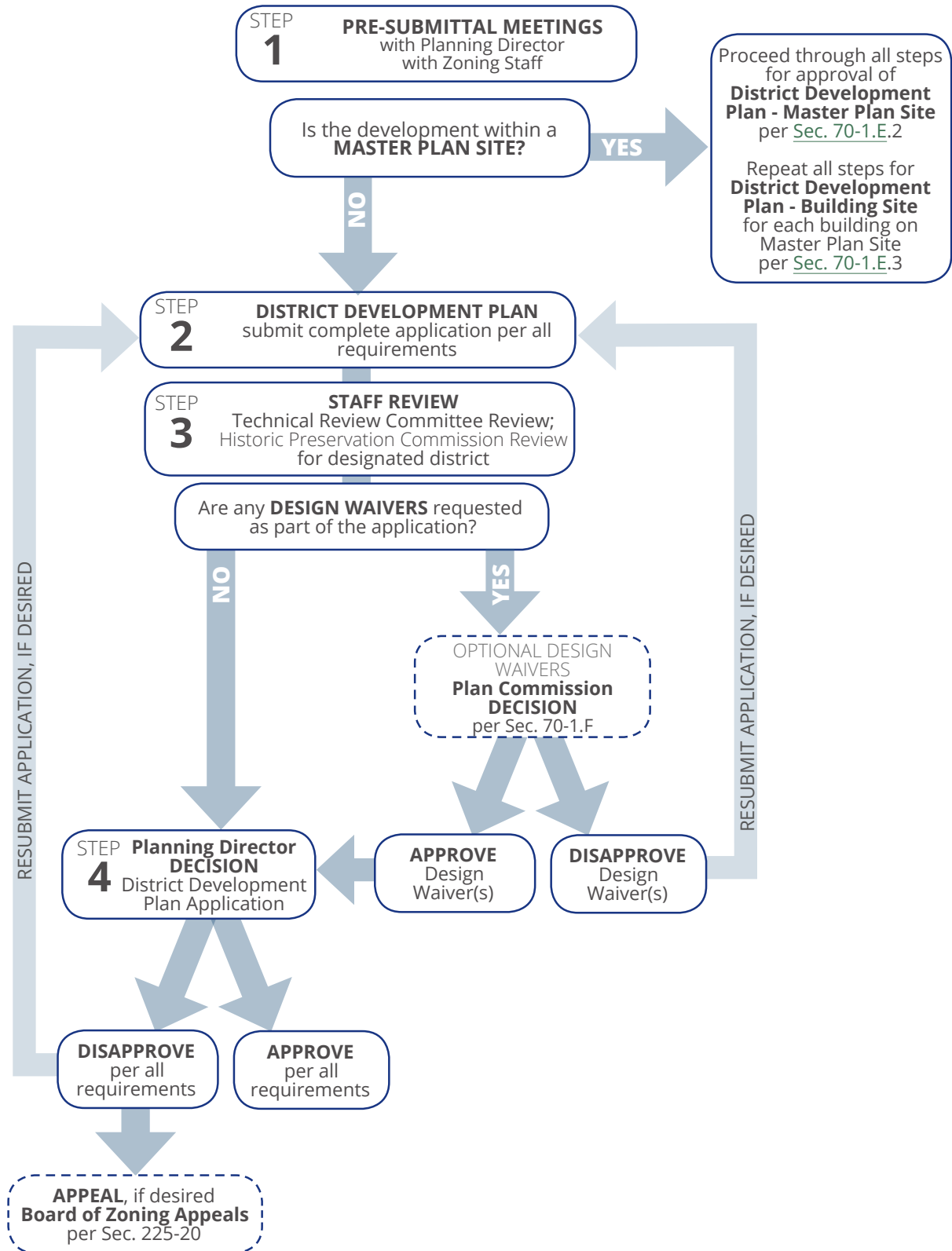


Figure 70.1.G-3. Master Development Plan Process Flow Chart

District Development Plan Process

- (3) Plans and Details. Plans and details illustrating compliance are required. A list is available at Town Hall. Additional detail may be requested by the planning director to facilitate review. All drawings shall include the date of preparation, north arrow, and scale.
 - (4) Waiver Requests. Any minor or design waivers requested by the applicant shall be clearly defined in the narrative and any supporting information provided.
 - (5) Other plans, information. The planning director may request additional information at the pre-submittal conference, at the time of application, or during the review and approval process.
 - c. **Planning Director Approval.** The planning director shall review the complete application for concurrence with applicable ordinances, and approve, approve with conditions, or disapprove the submittal.
 - d. **Development Agreement.** A written development agreement is required between the developer and the Town, committing the developer to and ensuring the implementation of all new streets, whether publicly dedicated or privately held, all civic space, and any other item as determined by the planning director.
 - (1) The Town Manager shall draft, coordinate, and execute the development agreement.
 - (2) The development agreement shall be recorded in the office of the county recorder and takes effect upon the approval of the district development plan.
 - (3) The development agreement is binding even if the agreement is not recorded.
 - (4) All development agreements are binding on any subsequent owners or partial owners of the parcels.
 - (5) The signed agreement is required for approval of the District Development Plan - Master Plan Site.
 - e. **Building Site Approvals.** Upon approval of the master plan site, the applicant may submit an application for a District Development Plan - building site.
 - f. **Infrastructure Approvals.** Construction of any new streets, utilities, and other infrastructure shall be constructed and approved per Chapter 152 of the Town's code of ordinances.
3. **District Development Plan Approval - BUILDING SITE.** For developments not located within the master plan subdistrict per the regulating plan ([Figure 70.1.G-1](#)) or developments with an approved District Development Plan - Master Plan, an application shall be submitted for review and approval of the District Development Plan - building site. Refer to [Figure 70.1.G-3](#) for a flow chart of the process.
 - a. **Submittals Required.** The following list of submittals is required to accompany the application, unless otherwise determined by the planning director.
 - (1) Narrative Information. A project narrative shall be provided including the following:
 - (a) Total area in development project including legal description.
 - (b) Ownership and contact information.
 - (c) Intent of development
 - (2) Project Phasing. Description and mapping of project timing and phasing, including all components (such as utilities, streets, parking, civic spaces, landscaping, uses, building types).
 - (3) Plans and Details. Plans and details illustrating compliance are required. A list is available at Town Hall. Additional detail may be requested by the planning director to facilitate review. All drawings shall include the date of preparation, north arrow, and scale.
 - (4) Waiver Requests. Any minor or design waivers requested by the applicant shall be clearly defined in the narrative and any supporting information provided.
 - (5) Commitment Letters. Any commitment letters for any agreed upon items deferred to a later date.
 - (6) Other plans, information. The planning director may request additional information at the pre-submittal conference, at the time of application, or during the review process.
 - b. **Planning Director Approval.** The planning director shall review the complete application for concurrence with applicable ordinances, and approve, approve with conditions, or disapprove the submittal.
 4. **Subdivision.** Any subdivision of land or provision of new public or private streets requires subdivision plat approval per the following:

- a. The process established in Chapter 152 of the Town's code of ordinances is required.
 - b. Regulations for anticipated building types shall be considered when setting block depth and width to avoid the need for future variances or waivers.
 - c. Private streets, where permitted by the Town, require parcels per the street type defined in [Sec. 70-6.E](#).
 - d. Civic open space shall meet the requirements of [Sec. 70-2.H](#). Open space shall either be dedicated or an easement/deed restriction established.
5. **Infrastructure Implementation.** The process for grading plan and approval of improvements is required per Chapter 152, Subdivision Regulations.
 6. **Conditional Uses or Special Waivers for Uses.** Conditional uses or special waivers for uses per [Sec. 70-4](#) shall follow the process defined in Sec. 225-120 of the zoning ordinance.
 7. **Appeals.** Appeals shall follow the process defined in Sec. 225-20 of the zoning ordinance.

F. MINOR WAIVERS

A discreet set of minor waivers from the regulations are defined and may be requested for approval by the planning director.

1. **Application.** An application for minor waiver shall accompany the associated District Development Plan application, i.e. Master Plan Site minor waivers allowed in [Sec. 70-2](#) shall be submitted with the District Development Plan - Master Plan Site application and building type minor waivers allowed in [Sec. 70-3](#) shall be submitted with the District Development Plan - Building Site application. The application shall define the requested waiver, reference the applicable code section, and provide supporting material for approval, in the opinion of the applicant.
2. **Conditions.** Waivers, outlined below, are permitted under the following conditions:
 - a. The waiver fulfills the intent defined for this Division 70 of the zoning regulations. Refer to [Sec. 70-1.A. Intent](#).
 - b. The resulting form is consistent or compatible with the surrounding context and the vision defined in the comprehensive plan and other planning documents approved by the Town.
3. **Permitted Minor Waivers.** The following are permitted minor waivers, if the above conditions are met.
 - a. The location of the building within up to 3 foot from any minimum yard requirement or build-to district width/location.
 - b. Up to 10 percent increase in total impervious coverage, not to exceed the total amount of permitted impervious plus semi-pervious coverage. (Compliance with stormwater regulations is required.)
 - c. Up to 10 percent decrease in front lot line coverage.
 - d. Additional height of any story up to 2 feet, as long as the overall building height does not exceed the allowable height of all floors at their maximum permitted height.
 - e. Up to 10 percent decrease in transparency or a 10 percent increase in blank wall limitation for corner side facades.

70-1. Overview

Design Waivers

- f. A reduction of up to 5 percent in major material.
- g. Additional minor waivers are noted throughout this Division 70.

G. DESIGN WAIVERS

Design waivers are noted specifically throughout the regulations and require approval by the plan commission.

1. **Application.** An application for design waiver shall accompany the associated District Development Plan application, i.e. Master PlanSite design waivers allowed in [Sec. 70-2](#) shall be submitted with the District Development Plan - Master Plan Site application and General Building Design design waivers allowed in [Sec. 70-5](#) shall be submitted with the District Development Plan - Building Site application. The application shall define the requested waiver, reference the applicable code section, and provide supporting material for approval, in the opinion of the applicant.
2. **Approval.** Approval of the design waiver must be obtained by:
 - a. Review by the planning director with recommendation for consideration by the Plan Commission.
 - b. The Plan Commission may request additional information from the applicant, hear testimony of the applicant, and hear public comments.
 - c. The Plan Commission shall consider the application, the zoning ordinance, any testimony, and additional facts to approve, approve with conditions, or disapprove the design waiver application.
3. **Conditions.** Design waivers allowed by this Division 70 are permitted under the following conditions:
 - a. The waiver fulfills the intent defined for this Division 70 of the zoning regulations. Refer to [Sec. 70-1.A. Intent](#).
 - b. The resulting development is consistent or compatible with the surrounding context or the vision defined in the master plan, Town's comprehensive plan, and/or other planning documents approved by the Town.
4. **Appeals.** Appeals are processed in accordance with Sec. 225 of the zoning ordinance.
 - a. The Board of Zoning Appeals shall only determine if the Plan Commission followed the procedures defined in this Division 70 in making its determination.
 - b. The Board of Zoning Appeals shall make its decision based on the facts considered by the Plan Commission in making its decision by reviewing the record of the Plan Commission decision, including the minutes, the zoning ordinance, and any facts or testimony presented as part of the design waiver application. No additional testimony or new information may be considered.
 - c. Should new information or testimony become available, the application is referred back through the approval process defined in [Sec. 70-1.G.](#)
5. **Master Site Design Waivers.** Design waivers to the requirements are defined throughout [Sec. 70-2](#).
6. **Building Type Design Waivers.** Design waivers to the requirements are defined throughout [70-3](#). Additionally, the following apply:
 - a. **Existing Building Waivers.** The following waivers are permitted when applied to the renovation of an existing building(s):
 - (1) For renovation of existing buildings, the maximum front lot line coverage may be waived with an existing coverage of 60%; however, any expansion on the ground story shall contribute to the extension of the front lot line coverage.
 - (2) For renovation of existing buildings, the location of the building within up to 5 feet from any minimum yard requirement or build-to district width/location.
 - (3) For renovation of existing buildings, the minimum height of the ground story and upper story may be increased or decreased by up to two feet for existing stories.
 - (4) For renovation of existing buildings, other required dimensions may be modified up to five feet or 10 percent, whichever is less, unless otherwise modified by this section.
7. **General Building Design Waivers.** Design waiversto requirements are defined throughout [Sec. 70-5](#).

- a. **Alternative Building Materials.** Alternative building materials may be approved in lieu of those defined Sec. 70-4.C. and Sec. 70-4.D., with the exception of materials expressly prohibited. For approval, the following shall be met:
 - (1) The Applicant shall submit samples and examples of the material installed in a similar building form located within 100 miles from the site. The submittal shall be provided a minimum of four weeks prior to the review, to allow site visits to the location.
 - (2) The submitted application meets the intent of the materials requirements and the material will maintain its structure, color, and appearance for a minimum period of 20 years with little or no maintenance.

Nonconforming Structures

H. NONCONFORMING STRUCTURES

All building type standards apply to all new construction and renovation of existing structures. The following exception for nonconforming buildings in the SCMU district is in addition to the requirements of Sec. 150-170. Where conflicts exist, this section [Sec. 70-1.H](#) shall rule.

1. **General Building Design Requirements.** The General Building Design Requirements in [Sec. 70-5](#) shall be met for any expansion that adds more than 200 square feet or exterior renovation of an existing building that incorporates any of the following:
 - a. New exterior facades are being added as a result of the addition of floor area;
 - b. More than 30% of the facade material is replaced;
 - c. More than 30% of the windows on any exterior street facade are being replaced;
 - d. Doors or balconies located on any exterior street facade are being replaced.
2. **General Site Design Requirements.** [Sec. 70-6](#) General Site Design Requirements shall be met for any of the following site renovations:
 - a. Expansion of any nonconforming parking lot by more than 200 square feet.
 - b. Renovation of more than 200 square feet of existing landscaping.
 - c. Relocation of or replacement of fencing/walls of an existing refuse or recycling area.
3. **Significant Renovations.** Where any renovation includes an addition of more than 50 percent in gross building square footage within a 5 year period, all requirements of the zoning ordinance shall be met.
4. **Facade Renovations.** If the building's façade exists or will exist within the required build-to district of these regulations, the Facade Requirements of the applicable building type (per [Sec. 70-3. Building Types](#)) shall be met, if the renovation includes any one of the following:
 - a. Expansion or change in location of 50 percent or more of the windows on any street façade of

the building. Refer to [Sec. 70-7.A](#) for definition of "street facade."

- b. Replacement of 50 percent or more of facade materials on any street facade of the building with a different facade material.
5. **Roof Renovations.** If the renovation of the shape or style of more than 50 percent of the roof occurs and 30 percent of the street-facing façade exists within the build-to district, the Roof Type Requirements of the applicable building type (per [Sec. 70-3. Building Types](#)) shall be met.

70-2. MASTER PLAN SITES

For all development sites designated on the SCMU regulating plan, [Figure 70.1.G-2](#), with an outline requiring a district development plan - master plan site, the requirements of this [Sec. 70-2](#), shall be met.

A. INTENT

In addition to the intent defined for the SCMU zone regulations (refer to [Sec. 70-1.A](#)), these regulations are intended to require larger parcels to provide a system of streets, blocks and open space, and a mix of building types within new, walkable districts.

B. DISTRICT DEVELOPMENT PLAN - MASTER PLAN SITE

1. A district development plan - master plan site shall be submitted during the approval process to illustrate compliance with the regulations in this [Sec. 70-2](#) and those sections referenced, and to provide guidance throughout all phases of the project.
2. The master plan shall include all areas within the outline on the SCMU regulating plan, [Figure 70.1.G-2](#), whether under the same ownership or not. The intent is to anticipate connectivity and other interactions potential between adjacent sites.

C. SUBDIVISION AND DEDICATION

Refer to Title XV, Land Usage, of the Town's code of ordinances for all requirements related to development.

1. All street rights-of-way shall be located on a separate parcel and platted per the Subdivision Regulations, Chapter 152.
 - a. Streets may be dedicated to the Town or held privately and maintained by the applicant/owner, subject to any development agreements with the Town.
 - b. Public access easement are required for all street held privately.
2. All civic space required by this Div. 70 shall be located on a separate parcel and platted per the Subdivision Regulations, Chapter 152. Civic space may be dedicated to the Town or held privately and maintained by the applicant/owner, subject to any development agreements with the Town.

3. Alleys, drives, or service lanes are not required to be located on a separate parcel, unless they are dedicated to the Town.

D. BLOCKS

An interconnected system of streets and blocks is required for all development sites. Refer to [Figure 70.2.I-7](#) and [Figure 70.2.I-8](#) for illustrations of example layouts of these regulations. Note that other configurations that meet the regulations are possible.

1. **Block Size.** Block length shall be no more than 600 feet, with a maximum perimeter of 1800 feet. Deviations from these dimensions for sites with natural or existing constraints may be approved with a design waiver per [Sec. 70-1.G](#).
2. **Access Points.** A minimum of two access points shall be provided for the development, with a minimum of one per every 1,500 feet of boundary, except along rail corridors or limited access highways. An access point is a new street connecting to an existing street.
3. **Extend Existing Streets.** Streets shall connect and continue existing streets from adjoining areas. Future connections shall be considered and temporary dead end streets may be supplied for future extension with planning director approval.
4. **Shape of Blocks.** The shape of a block shall be generally rectangular in order to accommodate typically rectilinear buildings, but may vary due to natural features or site constraints.
5. **Lot Configuration.** All lots shall have frontage along a street per the building type requirements, unless otherwise specified. Refer to [Sec. 70-3](#).
 - a. With the exception of blocks containing open space, blocks shall typically be fronted with lots or buildings on at least two faces, preferably on the longest street faces.
 - b. Flag lots are prohibited.
 - c. The configuration of the blocks shall consider alley and service drive inclusion per [Sec. 70-2.F](#).
 - d. Blocks may be established including already existing lots and those lots may retain their existing zone designation.
6. Consider lot and block orientation for maximum energy efficiency, depending on the building type. For example, block orientation along an east-west

70-2. Master Plan Sites Streets

longitudinal axis will encourage development of long mixed-use buildings oriented along an east-west axis, with smaller east and west facing facades, able to take advantage of passive solar technology.

E. STREETS

Complete streets provide for multiple modes of access throughout the town. All streets, whether publicly dedicated or privately held, shall meet the following requirements. Refer to [Figure 70.2.I-7](#) and [Figure 70.2.I-8](#) for illustrations of these regulations.

1. **Cul-de-Sacs and Dead End Streets.** Cul-de-sac and temporary dead end streets require a design waiver and are permitted only when necessitated by natural features or site constraints, including but not limited to waterways, or highways. If allowed, pedestrian connections and landscape plantings may be required.
2. **Civic Space.** Refer to [Sec. 70-2.H](#) for open space requirements, including street frontage requirements. Open space, existing and new, shall be fronted with streets to provide more visibility and access.
3. **Base Street Requirements.** The base street type is illustrated in [Figure 70.2.I-1](#). The planning director may require additional street right-of-way or configuration based on existing context and circulation needs. The base street defines the minimum components of any new street on the interior of the development and includes the following:
 - a. **On-Street Parking.** On-street parallel parking shall be provided on both sides of all new streets through SCMU district. Back-in or head-in, angled parking is acceptable in lieu of parallel parking. On-street parking on one side of the street may be approved by the planning director, though parking on both sides is encouraged.
 - b. **Streetscape.**
 - (1) The minimum dimension required for streetscapes along non-residential ground stories is 14 feet, with a clear sidewalk width of at least 6 feet and an 8-foot street tree and furnishings zone.
 - (2) Along residential ground stories, the minimum is 13 feet with a clear sidewalk of at least 5 feet and a 8-foot landscape zone (parkway).
 - c. **Maximum Pavement Width.** The maximum pavement width for all streets internal to the development is 38 feet. Pavement widths wider must include a median in the middle to provide pedestrian refuge and/or bulb-outs to reduce the crossing widths to less than 38 feet.
 - d. **Reduced Minimum Pavement.** When only one lane of on-street parking is approved, the minimum pavement width for a two-way street is 28 feet and the minimum right-of-way width is 54 feet.
 - e. **Waivers.** A design waiver may be approved for other street configurations per [Sec. 70-1.G](#).
4. **Mid-Block Pedestrian Paths.** Mid-block pedestrian paths may be located on blocks within the development that are longer than the maximum block sizes, approved by the planning director during the district development approval process.
5. **Street Crosswalks.** Crossings at all street intersections shall include a clear pedestrian path across streets (crosswalks) with accessibility ramps at curbs, demarcated by paint, stamped patterns, or pavers. Raised crosswalks are encouraged.
6. **Curb Radii.** Intersections shall be designed for actual turning radius of the typical design vehicle as opposed to the maximum design vehicle. Small curb radii at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, increasing pedestrian safety. See [Figure 70.2.I-3. Illustration of Actual Turning Radius vs. Curb Radius](#).
 - a. Where on-street parking is provided with no bulb-out, a radius no greater than 5 feet is required.
 - b. Where on-street parking is provided with a bulb-out or where no on-street parking is provided, a radius no greater than 10 feet is required.
7. **Bicycle Accommodations.** New streets within the development shall accommodate bicycle access per the Town's most recent bicycle policy.
- (3) See [Sec. 70-6.B](#) in landscape for streetscape requirements.
- (4) A minor waiver may be approved the planning director for up to 2 feet less of any dimension per [Sec. 70-1.F](#).

**NON-COMMERCIAL STREETSCAPE
LANDSCAPE ZONE
ILLUSTRATED**

**COMMERCIAL STREETSCAPE
FURNISHINGS ZONE
ILLUSTRATED**

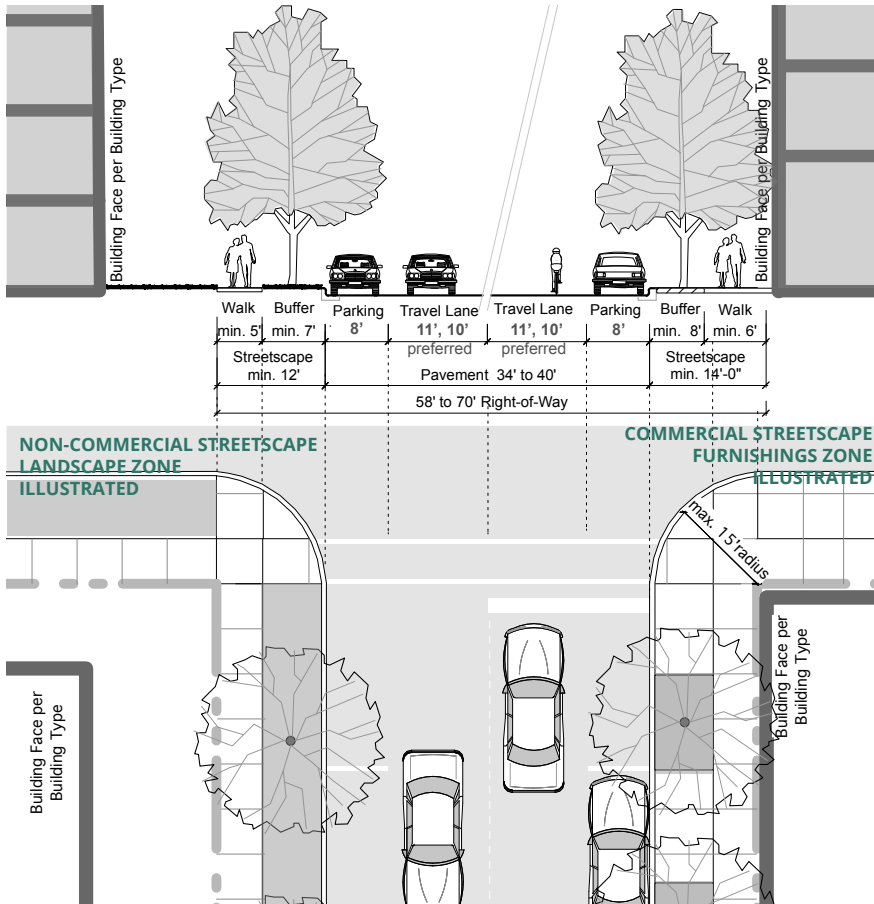


Figure 70.2.I-1. **Typical Base Street**

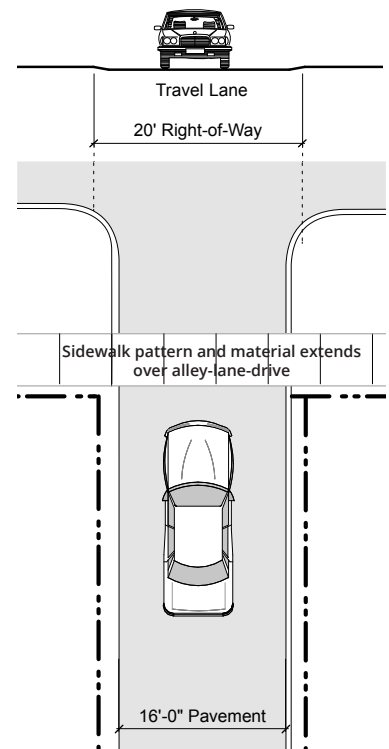


Figure 70.2.I-2. **Typical Alley, Lane, or Service Drive**

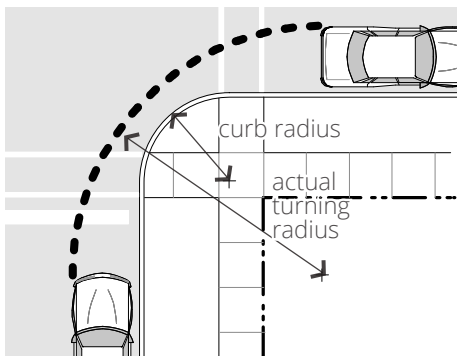


Figure 70.2.I-3. **Illustration of Actual Turning Radius vs. Curb Radius**

70-2. Master Plan Sites

Alleys, Lanes, or Service Drives

Bicycle accommodations shall be included on through streets and higher activity streets. On non-commercial and lower activity streets, bicycles may share vehicular lanes.

F. ALLEYS, LANES, OR SERVICE DRIVES

Alleys, lanes, or service drives (see [Figure 70.2.I-2](#)) shall be provided through all blocks to provide vehicular access to all lots, except as follows:

1. Parking drives and parking structure drives may serve as alleys/lanes if the drive is continuous through the block with at least 2 access points and serves all lots on the block.
2. Waiver. A design waiver per [Sec. 70-1.G](#) may be approved per block with one of the following conditions:
 - a. A single point of access is all that is required and a non-primary street is available for access.
 - b. Natural or existing constraints limit the block depth and no more than 2 vehicular access points are required for the lots on the block.

G. PRIMARY STREET DESIGNATION

The orientation and location of buildings on lots is determined by the primary street designation. Some building type requirements are specific to the primary street frontage. Primary street frontages are treated as the front of the building.

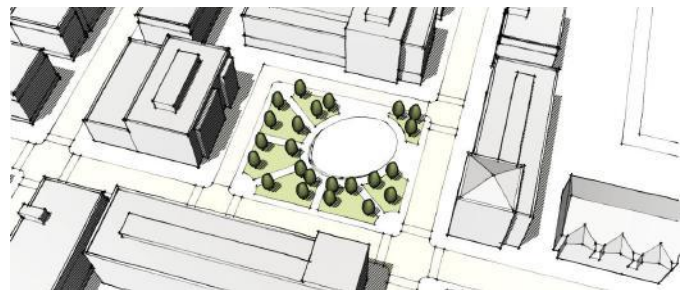
1. **Minimum Designation.** A minimum of 50 percent of a combination of the new streets on the master plan site and existing streets fronting the development shall be designated as primary streets. A design waiver may be approved for up to a 20 percent reduction in the minimum requirement for streets treated as primary. Refer to [Sec. 70-1.G](#) for the design waiver process.
2. **Building Frontage.** Primary streets shall be designated so that all building lots front at least one primary street, except for up to 20 percent of the lots may front a non-primary street.
3. **Open Space Frontage.** Where practicable, streets along open space shall be designated as primary streets to ensure buildings front the open space.
4. **Driveways and Alleys/Lanes.** Driveways and alleys/lanes to lots shall not be located off a primary street, except when the parcel is fronted by more than two primary streets and/or there is no other alternative access.

H. CIVIC SPACE

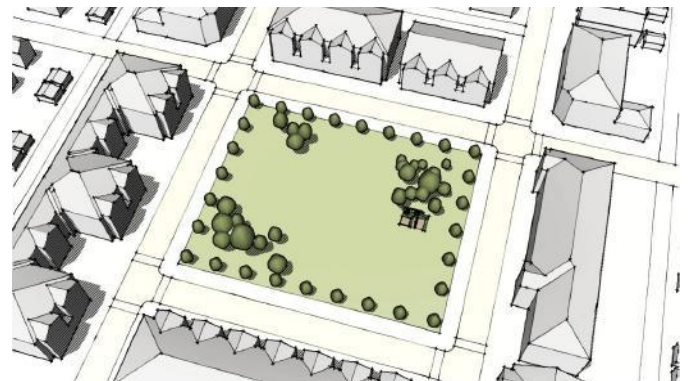
All developments where a district development plan - master plan site is required shall provide the following open space.

1. **Required Amount.** The following minimum amount of open space shall be provided:
 - a. A minimum of 10% of the total master plan site shall be provided as one of the civic space types, and
 - b. One type of civic space is required within a 500-foot distance, as measured continuously along a sidewalk, from the principal entrance of all residential and live-work units and all other buildings. The intent is to provide usable open space within a short walkable distance for all occupants and visitors.
2. **Types of Civic Space.** The following types of civic space are permitted. A mix of types is required, with not more than 3 of any one type utilized. Refer to [Figure 70.2.I-4](#) for example images.
 - a. **Plaza.** A plaza is a generally hardscaped area (minimum 60 percent coverage), minimum 1/8 acre in size, with either street, pedestrian, or river right-of-way or building frontage on all sides and at least one side the equivalent of 25 percent of the perimeter fronting a primary street. A single plaza may not fulfill the minimum open space requirements; if a plaza is utilized to meet the distance requirement, another open space shall be incorporated in another location on the site.
 - b. **Square.** A square is a combination of hardscape and landscape (approximately 50% and 50% respectively), minimum 1/4 acre in size, and surrounded by street frontage on all sides.
 - c. **Green.** A green is a generally landscaped space (minimum 70 percent), minimum 1/2 acre with street right-of-way on at least 50 percent of the perimeter.
 - d. **Greenway.** A greenway is a linear landscape space, minimum 2 acres in total with minimum 30 feet wide and minimum average 60 feet wide, and with street right-of-way on at least 30 percent of the perimeter.

- e. **Park.** A park is a larger, generally landscaped space, a minimum of 2 acres in size, with at least 25 percent of the perimeter on street right-of-way.
- 3. **Trails.** Refer to any town open space and/or trail plans, and any existing trails surrounding the site, to provide connections through and within the site for continuous trails.



Example of a plaza



Example of a GREEN



Example of a GREENWAY

Figure 70.2.I-4. **Examples of Civic Space Types**

Layout & Location of Building Type Sites

I. LAYOUT & LOCATION OF BUILDING TYPE SITES

The master development plan shall define locations of building types to meet the following requirements. Refer to [Figure 70.2.I-7](#) and [Figure 70.2.I-8](#) for illustrations of site layouts fulfilling these regulations.

1. **Permitted Building Types.**
 - a. Permitted building types include the Storefront building, the General-Office building, General-Residential building, Row-Office building, Row-Residential building, and the Workshop building.
 - b. Refer to [Sec. 70-3](#) for permitted building types and descriptions and regulations.
 - c. Buildings located within a local historic district are not required to meet the building types.
 - d. The Civic building type is permitted only with an approved design waiver per [Sec. 70-1.G](#)
2. **Master Plan.** The general location of all building types proposed for the master plan site shall be located within boundary lines or lot lines on the plan and shall fulfill the requirements of this [Sec. 70-2.I](#).
3. **General Layout of Building Type.** The following general layout requirements apply:
 - a. The same building types shall generally face each other across streets, including existing buildings.
 - b. More intense buildings and uses located on blocks with less intense buildings and uses should be located on block ends.
 - c. Changes in building type shall generally occur at a rear boundary line, at an alley, or at corner parcels.
 - d. A design waiver per [Sec. 70-1.G](#) may be requested for changes to the general layout of building types.
4. **Specific Layout of Building Types.** The following layout requirements are applicable to any Storefront buildings applied to a site.
 - a. Storefront building sites should be clustered into areas of at least 10,000 square feet of net lot area or located linearly along a corridor.
 - b. Storefront building sites shall be uninterrupted and continuous.
 - c. General-Office and Row-Office buildings may be used as transition buildings, located between Storefront or Workshop buildings and General-Residential and Row-Residential buildings.
 - d. Workshop buildings are not permitted on South Clark Boulevard, on civic space frontage, or adjacent or across from residential uses.
5. **Minimum Number of Building Types.** In addition to any historic district buildings, at least 2 different building types are required on any master plan site.

70-2. Master Plan Sites Layout & Location of Building Type Sites

KEY

- STOREFRONT BUILDING TYPE
- GENERAL-OFFICE, ROW-OFFICE, OR WORKSHOP BUILDING TYPE
- GENERAL-RESIDENTIAL OR ROW-RESIDENTIAL BUILDING TYPE
- GENERAL-RESIDENTIAL OR ROW-RESIDENTIAL BUILDING TYPE

- OPEN SPACE TYPES, RIVERFRONT PARK
- PRIMARY STREET
- NON-PRIMARY STREET
- NEW ALLEY, GARAGE ACCESS, SERVICE DRIVE

NOTE: This diagram illustrates one example of application of the Master Plan Site requirements. Other site layouts are possible.



Figure 70.2.I-7. Example Regulating Plan for Master Plan Sites illustrating requirements.

70-2. Master Plan Sites

Layout & Location of Building Type Sites

KEY

- STOREFRONT BUILDING TYPE
- GENERAL-OFFICE, ROW-OFFICE, OR WORKSHOP BUILDING TYPE
- GENERAL-RESIDENTIAL OR ROW-RESIDENTIAL BUILDING TYPE
- GENERAL-RESIDENTIAL OR ROW-RESIDENTIAL BUILDING TYPE

- OPEN SPACE TYPES, RIVERFRONT PARK
- PRIMARY STREET
- NON-PRIMARY STREET
- NEW ALLEY, GARAGE ACCESS, SERVICE DRIVE

NOTE: This diagram illustrates one example of application of the Master Plan Site requirements. Other site layouts are possible.



Figure 70.2.I-8. Example Regulating Plan for a Master Plan Site illustrating requirements.

70-3. BUILDING TYPES

A. INTRODUCTION

1. **Applicability.** This section establishes the building form regulations for new buildings, additions, and exterior renovations within the South Clarksville Mixed-Use (SCMU) district.
2. **Permitted Building Types.** Each building type shall be constructed only within its designated location per the regulating map ([Figure 70.1.G-1](#)).
 - a. **No Other Building Types.** All principal buildings constructed shall meet the standards of one of the permitted building types within the zone of the lot.
 - b. **Multiple Principal Buildings on One Lot.** For all building types, multiple principal buildings are permitted on all lots; however, each building must meet the requirements of the building type, unless otherwise noted.
 - c. **Permanent Structures.** All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.

- d. **Historic District Buildings.** Existing buildings located within a local, state, or federal historic district are not required to fulfill the building type requirements; however, any significant redevelopment as defined in Sec. 70-1.G.3 of these buildings triggers compliance.
- e. **Utility Structures.** Minor utility structures not located within buildings and permitted in the district are exempted from the building type standards, but are subject to all other standards. Refer to [Sec. 70-6.E](#) for landscape screening requirements.
3. **Uses by Building Type.** Refer to [Sec. 70-4](#) for uses permitted per building type. Some building types have additional standards on permitted uses.

B. GENERAL BUILDING TYPE REQUIREMENTS

The following applies to all building types.

1. **General Design Requirements.** Refer to [Sec. 70-5](#) for General Building Design requirements and [Sec. 70-6](#) for General Site Design requirements.
2. **Build to the Corner.** The intersections of two build-to zones at a corner shall be occupied by building. Refer to [Figure 70.3.B-1. Build-to Corner and Build-to Zones](#).

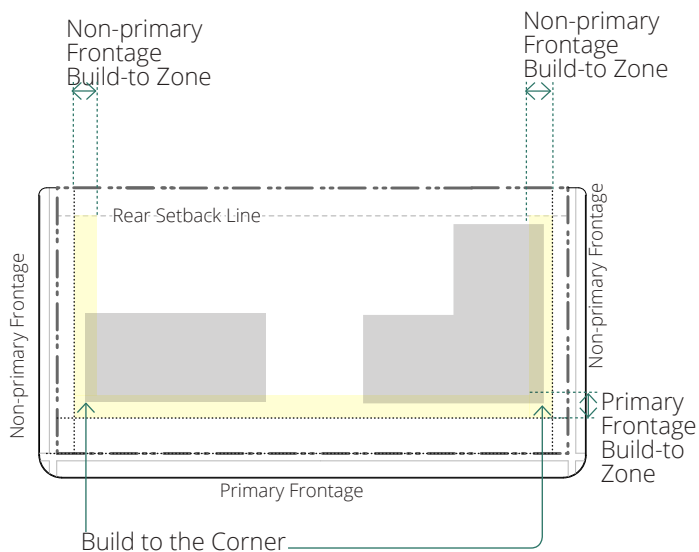


Figure 70.3.B-1. **Build-to Corner and Build-to Zones**



Figure 70.3.B-2. **Example of Primary Frontage Treatment Turning Street Corner**

70-3. Building Types

General Building Type Requirements

3. **Primary and Non-Primary Street Frontages.** A hierarchy of frontages is established for the SCMU district by the definition of primary streets. Refer to the regulating map ([Figure 70.1.G-1](#)) and any approved district development plan for the master plan site for the location of primary and non-primary frontages.
 - a. **Frontages along Civic or Open Space.** Lots containing or abutting civic spaces or public open space shall treat frontages abutting that space as primary frontages, unless a design waiver is approved per [Sec. 70-1.G](#).
 - b. **Corners.** At all intersections of primary and non-primary streets, primary frontage facade treatments shall extend along the facade of the non-primary street from the corner a minimum of 30 feet along the non-primary facade. Refer to [Figure 70.3.B-2](#) for an example of this regulation.
 - c. **Non-Primary Frontages.** Non-primary frontages allow for a lower level of facade treatment as well as permit locations for garage and parking lot driveways entrances. Non-primary frontages may always be treated at the higher level of a primary frontage.
4. **Driveways off Streets.** If no alley exists or is required, one driveway or garage entrance is permitted off a non-primary street or facade for every 150 feet of non-primary street frontage.
5. **Landscape and Hardscape Areas.** The following establishes the required landscape and hardscape treatments permitted in all locations except building footprints for all sites:
 - a. **Landscape Areas.** All front yards, build-to zones, courtyards, side yards, corner side yards, and rear yards not covered by buildings, parking, or driveway shall contain either landscape, patio space, or sidewalk space. Maximum impervious and semi-pervious site requirements for each building type apply, unless otherwise stated.
 - (1) Landscape includes trees and ground plane vegetation per [Sec. 70-6.D](#).
 - (2) Patio space is outdoor living space that includes seating, outdoor eating, or outdoor display.
 - (3) Sidewalk is any prepared, defined walking surface.
 - b. **Permitted Parking and Driveway Locations.** Parking areas and driveway locations are permitted in specific locations by building type. Generally, parking is not permitted in front or corner side yards, unless specifically noted in the building type regulations.
 - c. **Build-to Zones and Setbacks.** Parking and driveways are not permitted in build-to zones or setbacks except as follows:
 - (1) Where driveway access is permitted off streets, driveways may cross perpendicularly through the build-to zone or setback with a maximum width of 22 feet for two way driveways and 14 feet for one way and residential driveways.
6. **Accessory Structures.** Refer to Division 157 for permitted accessory structures. The following applies to detached accessory sheds and garages in the SCMU district.
 - a. Use of accessory structures other than parking structures requires a design waiver.
 - b. Drive-through structures are expressly prohibited.
 - c. Detached accessory sheds and enclosed garages are permitted without a design waiver on the General-Residential and Row-Residential buildings, provided the following:
 - (1) Refer to the Row building for locations of detached garages.
 - (2) The footprint of the accessory structures on General-Residential buildings shall be less than 50 percent of the principal building.
 - (3) Detached accessory structures are permitted only in the rear yard. See definition of rear yard in [Sec. 70-7.A](#)
 - (4) Detached accessory structures shall be no taller than 1.5 stories in height, utilizing the floor to floor heights for the building
 - d. Accessory parking structures are permitted in the rear yard, subject to all applicable building type requirements and screened from all streets and civic spaces by building. Parking structures attached to the building are addressed by the building type.

70-3. Building Types

Storefront Building Type

C. STOREFRONT BUILDING TYPE

The regulating plan in [Figure 70.1.G-1](#) shows permitted locations for this building type. Refer to [Sec.70-2](#) for information on locations for this building type on Master Plan sites.

1. **Storefront Building Type.** The Storefront building type is a highly pedestrian-oriented, mixed-use building. Ground story storefront is required along all primary streets with retail sales, eating and drinking establishments, and a variety of service uses to provide activity. Upper story uses are flexible. Parking is located in the rear, screened from the primary street by the building.



Figure 70.3.C-1. **Illustrative Examples of Storefront Building.** Each building image may not exhibit all of the requirements of the building type.



70-3. Building Types

Storefront Building Type

2. **Regulations.** The following defines the requirements specific to this building type. Refer to [Sec. 70-3.A](#) through C for requirements applicable to all building types and [Sec. 70-5](#) for general building design applicable to all building types. Refer to [Sec. 70-7](#) for definitions and measuring table requirements.

	STOREFRONT Building Type	RIVERFRONT Building Type	REFERENCES/ADDITIONAL REQUIREMENTS	
BUILDING SITING Refer to Figure 70.3.C-4 .				
1	Primary Frontage Coverage	Minimum 95% required	Maximum 45%	Refer to Sec. 70-3.C.3 for courtyards and Riverfront coverage.
2	Primary Frontage Build-to Zone	0 ft. to 10 ft.	0 ft. to 30 ft.	Refer to Sec. 70-3.C.3 for Build-to Zone exceptions Refer to Sec. 70-3.B for explanation of primary and non-primary frontages.
3	Non-Primary Frontage Build-to Zone	0 ft. to 10 ft.	Not applicable	
4	Minimum Side Setback	0 ft.; or minimum 5 ft. if abutting other building type	0 ft. east side lot line	
5	Minimum Rear Setback	10 ft.; 0 ft. if abutting an alley	100 feet	Refer to Sec. 70-3.C.3 for Riverfront building rear setback
6	Maximum Site Impervious Coverage Additional Semi-Pervious Coverage	90% 10%	15% 15%	
7	Surface or Accessory Parking	Rear yard only	Limited side yard parking on east side of building within 200 feet of east lot line	Refer to Sec. 70-7.B.4 for explanation of limited side yard parking..
8	Refuse & Recycling, Utilities, & Loading Location	Rear yard only	East side yard only within 200 feet of east lot line	Refer to Sec. 70-6.D for screening requirements.
9	Permitted Driveway Location Permitted Garage Entrance Location	Alley only Rear facade	One off Riverside Drive Side facade only	Refer to Sec. 70-3.B.4 for driveway access exception where there is no alley.
HEIGHT Refer to Figure 70.3.C-3 .				
10	Overall: Minimum Height Maximum Height	2 stories 5 stories; step-backs required	1 stories 2 stories	Refer to Sec. 70-3.C.3 for step-back requirements and additional height
11	Ground Story: Minimum Height Maximum Height	14 ft. 18 ft.	14 ft. 18 ft.	Stories are measured floor to floor. .
12	Upper Stories: Minimum Height Maximum Height	10 ft. 12 ft.	10 ft. 12 ft.	
USES Refer to Figure 70.3.C-3 .				
13	Primary Frontage Ground Story	All uses permitted on the ground floor per Table 70.4-A. Permitted Uses .		Refer to Sec. 70-4 . for use definitions.
14	Non-primary Frontage, All Upper Stories, & Basement	All permitted uses per Table 70.4-A. Permitted Uses ..		
15	Parking within Building	Permitted fully in any basement and in rear of all other stories	Permitted fully in any basement only	Refer to Sec. 70-3.C.3 for parking facades at the flood wall.
16	Required Occupied Building Space	Minimum 20 ft. deep on all full height floors from any primary street and riverfront facade; not required in any basement		Refer to Sec. 70-7.A . for definition for Occupied Building Space.
FACADE & CAP REQUIREMENTS Refer to Figure 70.3.C-4 .				
17	Transparency: Ground Story Primary Frontage and River Frontage Facades	Minimum 70% measured between 2 and 8 feet above sidewalk.	Minimum 40% measured between 2 and 8 feet above sidewalk.	Note that Sec. 70-3.B.3 requires primary frontage treatment to turn corners. Blank wall limitations apply to primary street facades per Sec. 70-7.B.7 .
18	Transparency: All Street Facades & Facades Visible from the Street & River	Minimum 15%, measured per story of all stories.	Minimum 15%, measured per story of all stories.	
19	Primary Frontage and River Frontage Entrance Location & Number	Principal entrances required a minimum of one per every 60 ft. of facade		Refer to Sec. 70-5.K . for Principal Entryway requirements.
20	Entryway Configuration	Recessed between 3 ft. and 8 ft., maximum 8 ft. wide		
21	Entrance/Ground Story Elevation	80% of the ground story shall be within 1.5 ft. of adjacent sidewalk grade	50% of the ground story shall be within 1.5 ft. of adjacent sidewalk grade	
22	Ground Story Vertical Facade Divisions	One 2" deep shadow line per every 30 ft. of street facade width		Refer to Sec. 70-5.L for building articulation, including building variety.
23	Horizontal Facade Divisions	2" deep shadow line within 3 ft. of the top of the ground story on any street facade	None required	
24	Permitted Cap Types	Parapet, flat; tower permitted	Parapet, flat; tower permitted	Refer to Sec. 70-3.I . for definition of Cap Types and waiver for other cap types.

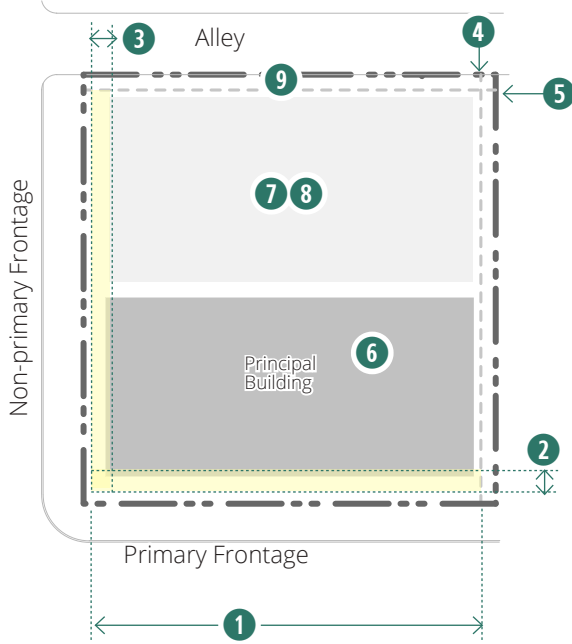


Figure 70.3.C-2. **Storefront Building: Building Siting**

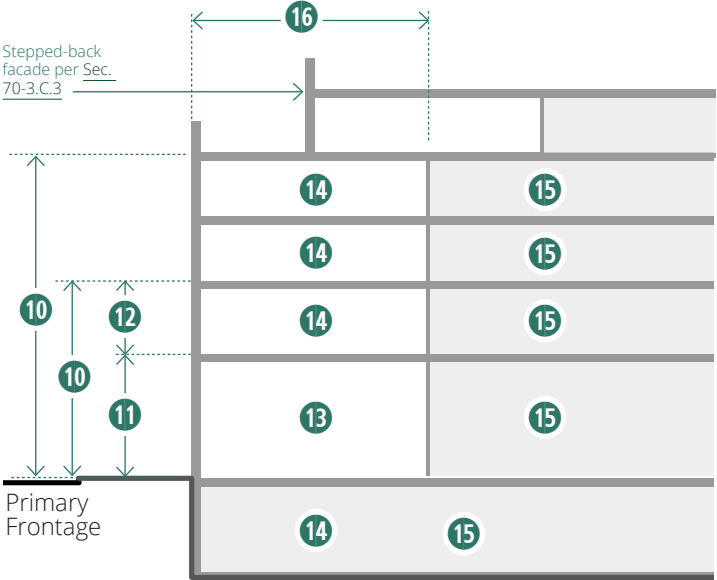


Figure 70.3.C-3. **Storefront Building Section: Height & Use Requirements**

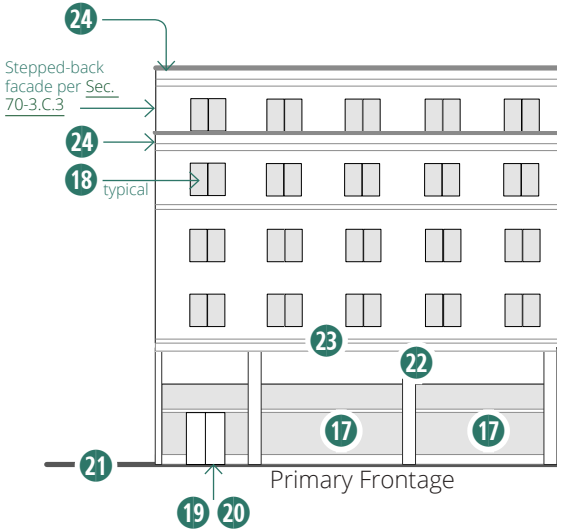


Figure 70.3.C-4. **Storefront Building Elevation: Facade Design Requirements**

70-3. Building Types

Storefront Building Type

3. **Supplemental Regulations and Explanations.** The following supplements the table regulations for this building type.
- Courtyards.** One courtyard, maximum of 30% of facade width or 30 feet wide, whichever is less, may count towards the minimum primary frontage coverage for the Storefront building. Does not apply to Riverfront building.
 - Primary Frontage Coverage for Riverfront Building.** The primary frontage coverage for the Riverfront building is a maximum number, intended to be measured within 75 feet of the easternmost lot line, with the goal of creating open space and view to the river on the westernmost half of the property.
 - Build-to Zone Exceptions.**
 - For the Storefront building, the primary street build-to zone may expand to between 0 and 25 feet for a maximum of 15 percent of the frontage to allow for additional seating or sidewalk.
 - For the Storefront building, the non-primary street build-to zone may be fully expanded to between 0 and 20 feet when a permanent patio for outdoor seating/dining is constructed.
 - Required Stepped-Back Upper Stories.** Refer to [Figure 70.1.G-1](#) Regulating Plan for the SCMU districts locations where buildings are required to step-back upper stories.
 - Along Woerner Avenue, stories above the 4th shall be stepped back a minimum of 12 feet from the front facade located in the build-to zone.
 - At the floodwall, where building facades overlook a commercial manor building type site, building facades above the 3rd story shall be stepped back a minimum of 12 feet for the 4th story and 24 feet for the 5th story, measured from the 1st through 3rd story facades facing the floodwall. See [Figure 70.3.C-5](#).
 - Lower stories shall be capped with permitted cap type.
 - The roofs of the lower stories may be utilized for terraces.
 - Parking Facades at Floodwall.** Where building facades face the floodwall, stories located fully below the top of the floodwall may be utilized for parking without fulfilling the requirement for occupied space. Those facades must not be visible from the street.
 - Additional Height at Market Street.** Refer to [Figure 70.1.G-1](#) Regulating Plan for the location on Market Street at Missouri Avenue, where an additional 3 stories of height above the maximum 5 stories is permitted. All stories above 5 stories shall be setback from Woerner Ave a minimum of 300 feet and a minimum of 12 feet from Market Street.

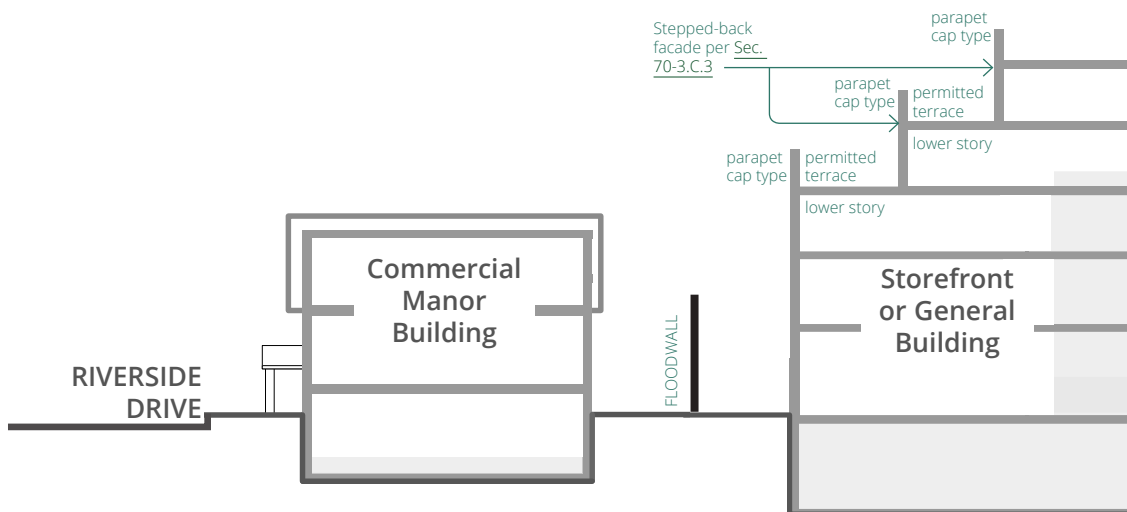


Figure 70.3.C-5. Illustration of Required Stepped-Back Upper Stories at Floodwall and Commercial Manor Building Type.

70-3. Building Types

Commercial Manor Building Type

D. COMMERCIAL MANOR BUILDING TYPE

The regulating plan in [Figure 70.1.G-1](#) shows permitted locations for this building type. Refer to [Sec.70-2](#) for information on locations for this building type on Master Plan sites.

1. **Intent and Description.** The Commercial Manor is a smaller scaled building type with characteristics similar to residential houses, such as a pitched roof and front stoop or porch, to allow it to fit into an existing specific context. Uses in this building type are specifically set to function adjacent to residential.



Figure 70.3.D-1. **Illustrative Examples of Commercial Manor Building.** Each building image may not exhibit all of the requirements of the building type.



70-3. Building Types

Commercial Manor Building Type

2. **Regulations.** The following defines the requirements specific to this building type. Refer to [Sec. 70-3.A](#) through C for requirements applicable to all building types and [Sec. 70-5](#) for general building design applicable to all building types. Refer to [Sec. 70-7](#) for definitions and measuring table requirements.

		COMMERCIAL MANOR Building Type	REFERENCES/ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to Figure 70.3.E-4 .			
1	Building Width	26 ft. minimum, 60 ft. maximum	Refer to Sec. 70-3.D.3 for permitted connections between buildings
2	Primary Frontage Setback	15 ft.	Refer to Sec. 70-3.B for explanation of primary and non-primary frontages.
3	Non-Primary Frontage Setback	12 ft.	
4	Minimum Side Setback	7.5 ft.; minimum 15 ft. between buildings	
5	Minimum Rear Setback	15 ft.	
6	Maximum Site Impervious Coverage Additional Semi-Pervious Coverage	65% 15%	
7	Surface or Accessory Parking	Rear, limited side yard parking	
8	Refuse & Recycling, Utilities, & Loading Location	Rear yard only	Refer to Sec. 70-6.D for screening requirements.
9	Permitted Driveway Location Permitted Garage Entrance Location	One driveway permitted off a non-primary street Rear or side facade	Refer to Sec. 70-3.D.3 for other driveway options.
HEIGHT Refer to Figure 70.3.E-2 .			
10	Overall: Minimum Height Maximum Height	1 story 2.5 stories	
11	All Stories: Minimum Height Maximum Height	9 ft. 12 ft.	Stories are measured floor to floor. .
USES Refer to Figure 70.3.E-2 .			
12	All Frontages & Stories	All permitted uses per Table 70.4-A. Permitted Uses .	Refer to Sec. 70-4 . for use definitions.
13	Parking within Building	Permitted fully in any basement and in rear of all other stories	Refer to Occupied Building Space requirement below.
14	Required Occupied Building Space	Minimum 30 ft. deep on all full height floors from any primary street facade; not required in any basement	
FACADE & CAP REQUIREMENTS Refer to Figure 70.3.E-3 .			
15	Required Transparency Street Facades & Facades Visible from the Street	Minimum 12%, measured per story of all stories. Blank wall limitations apply to primary facades only.	Note that Sec. 70-3.B.3 requires primary frontage treatment to turn corners. Blank wall limitations apply per Sec. 70-7.B.7 .
16	Entrance Location & Number	Principal entrance required on primary frontage facade, at corner of building, or on non-primary frontage facade	Refer to Sec. 70-5.K . for Principal Entryway requirements.
17	Entryway Configuration	Entry doors shall be off a stoop, minimum 4 ft. wide and 3 ft. deep	Refer to Sec. 70-7.A . for definition of stoop.
18	Entrance/Ground Story Elevation	Principal entrance and the ground story shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5 ft. with visible basement (transparency required)	.
19	Ground Story Vertical Facade Divisions	none required	Refer to Sec. 70-5.L for building articulation, including building variety.
20	Horizontal Facade Divisions	none required	
21	Permitted Cap Types	Pitched; one tower permitted	Refer to Sec. 70-3.I . for definition of Cap Types and waiver for other cap types.

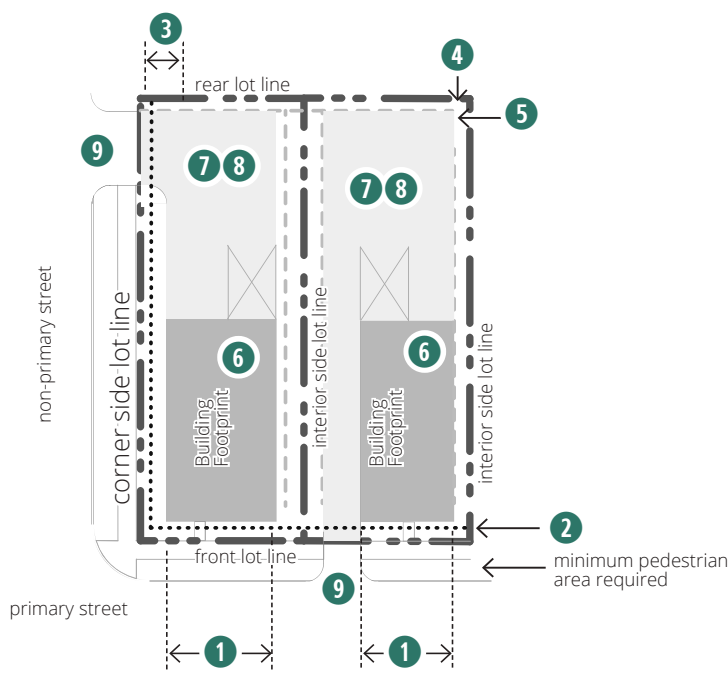


Figure 70.3.D-4. **Commercial Manor Building: Building Siting**

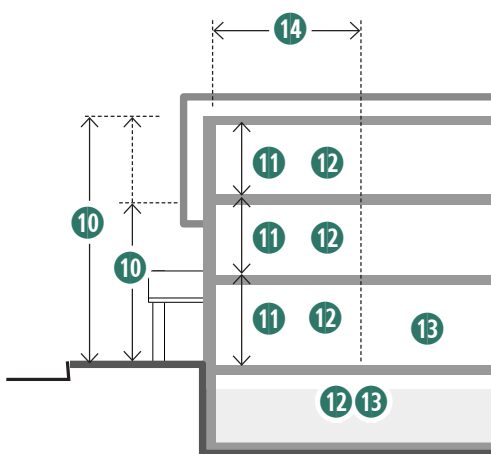


Figure 70.3.D-2. **Commercial Manor Building: Height & Use Requirements**

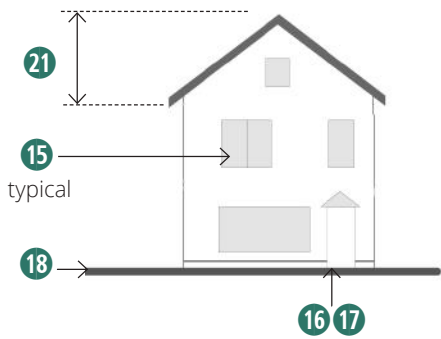


Figure 70.3.D-3. **Commercial Manor Building: Facade Design Requirements**

Commercial Manor Building Type

3. **Supplemental Regulations and Explanations.** The following supplements the table regulations for this building type.
 - a. **Permitted Connections between Buildings.** Multiple Commercial Manor buildings may be connected by a single story enclosed building segment, maximum 15 feet in depth, setback from the front facade a minimum of 12 feet. See [Figure 70.3.D-5](#).
 - b. **Shared Driveways/Alley.** For lots without access to a non-primary street, one driveway per lot is permitted off the primary street. If multiple abutting lots are owned by the same or similar ownership, shared driveways shall be utilized: one driveway off a primary street is permitted for two lots and 2 driveways off a primary street is permitted for three or more lots.

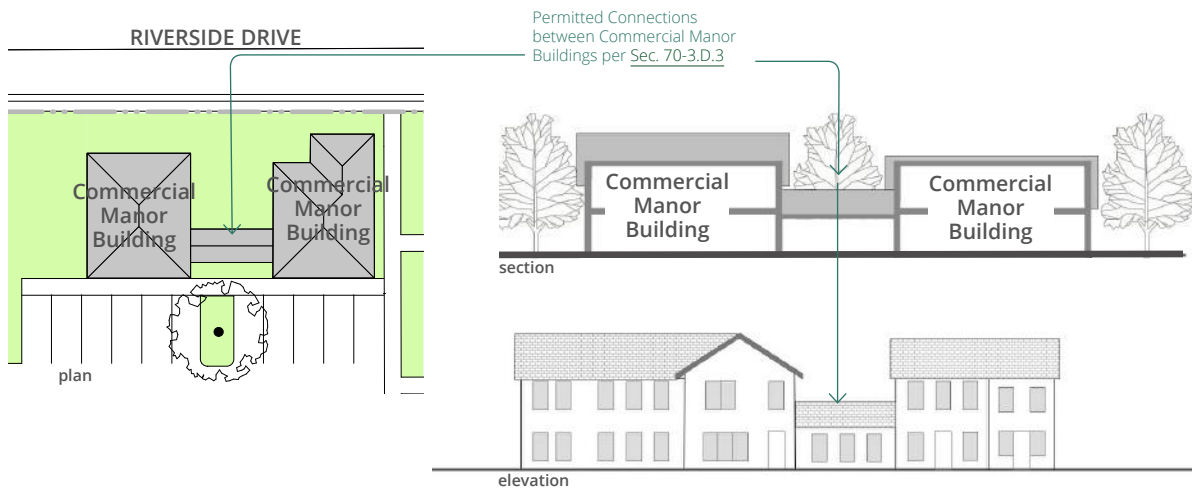


Figure 70.3.D-5. **Commercial Manor Building: Connections**

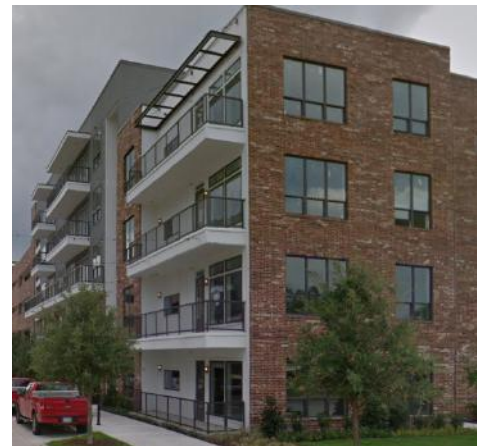
E. GENERAL BUILDING TYPE

The regulating plan in [Figure 70.1.G-1](#) shows permitted locations for this building type. Refer to [Sec.70-2](#) for information on locations for this building type on Master Plan sites.

1. **Intent and Description.** The General building type is a basic building that can accommodate a wide range of uses, from residential for apartment and/or condominium buildings to office buildings. The General building type does not call for groundfloor storefront glass, but requires the same minimum level of transparency on the ground and upper stories. Additionally, unlike the Storefront building type, the ground story may be elevated above the sidewalk level.



Figure 70.3.E-1. **Illustrative Examples of General Building.** Each building image may not exhibit all of the requirements of the building type.



70-3. Building Types

General Building Type

2. **Regulations.** The following defines the requirements specific to this building type. Refer to [Sec. 70-3.A](#) through [C](#) for requirements applicable to all building types and [Sec. 70-5](#) for general building design applicable to all building types. Refer to [Sec. 70-7](#) for definitions and measuring table requirements.

		GENERAL-OFFICE Building Type	GENERAL-RESIDENTIAL Building Type	REFERENCES/ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to Figure 70.3.E-4 .				
1	Minimum Primary Frontage Coverage	80% required; one courtyard permitted	75% required; one courtyard permitted	Refer to Sec. 70-3.E.3 for courtyards
2	Primary Frontage Build-to Zone	5 ft. to 15 ft.	10 ft. to 15 ft.	Refer to Sec. 70-3.E.3 for Build-to Zone exceptions Refer to Sec. 70-3.E.3 for explanation of primary and non-primary frontages.
3	Non-Primary Frontage Build-to Zone	5 ft. to 15 ft.	5 ft. to 15 ft.	
4	Minimum Side Setback	5 ft.; or minimum 10 ft. if abutting another building type		
5	Minimum Rear Setback	10 ft.	10 ft.	
6	Maximum Site Impervious Coverage Additional Semi-Pervious Coverage	75% 15%	65% 25%	
7	Surface or Accessory Parking	Rear, limited side yard parking	Rear yard only	
8	Refuse & Recycling, Utilities, & Loading Location	Rear yard only		Refer to Sec. 70-6.D for screening requirements.
9	Permitted Driveway Location Permitted Garage Entrance Location	Alley only Rear or side facade		Refer to Sec. 70-3.B.4 for driveway access exception where there is no alley.
HEIGHT Refer to Figure 70.3.E-2 .				
10	Overall: Minimum Height Maximum Height	2 stories 5 stories; step-backs required		Refer to Sec. 70-3.E.3 for step-back requirements and additional height
11	All Stories: Minimum Height Maximum Height	9 ft. 14 ft.	9 ft. 14 ft.	Stories are measured floor to floor.
USES Refer to Figure 70.3.E-2 .				
12	All Frontages & Stories	All permitted uses per Table 70.4-A. Permitted Uses .		Refer to Sec. 70-4 . for use definitions.
13	Parking within Building	Permitted fully in any basement and in rear of all other stories		Refer to Sec. 70-3.C.3 for parking facades at the flood wall.
14	Required Occupied Building Space	Minimum 20 ft. deep on all full height floors from any primary street facade; not required in any basement		Refer to Sec. 70-7.A . for definition for Occupied Building Space.
FACADE & CAP REQUIREMENTS Refer to Figure 70.3.E-3 .				
15	Required Transparency Street Facades & Facades Visible from the Street	Minimum 15%, measured per story of all stories. Blank wall limitations apply to primary facades only.		Note that Sec. 70-3.B.3 requires primary frontage treatment to turn corners. Blank wall limitations apply per Sec. 70-7.B.7 .
16	Primary Facade Entrance Location & Number	Principal entrance required on primary frontage facade; entrances required a minimum of one per every 90 ft. of building facade		Refer to Sec. 70-5.K . for Principal Entryway requirements..
17	Entryway Configuration	Entry doors shall be off a stoop, minimum 6 ft. wide and 3 ft. deep		Refer to Sec. 70-7.A . for definition of stoop.
18	Entrance/Ground Story Elevation	80% of entrances and the ground story shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5 ft. with visible basement (transparency required)		
19	Ground Story Vertical Facade Divisions	One minimum 2" deep shadow line per every 100 ft. of street facade width		Refer to Sec. 70-5.L for building articulation, including building variety.
20	Horizontal Facade Divisions	One minimum 2" deep shadow line within 3 ft. of the top of the ground story on any street facade		
21	Permitted Cap Types	Parapet, flat; tower permitted; pitched with approved design waiver		Refer to Sec. 70-3.I . for definition of Cap Types and waiver for other cap types.

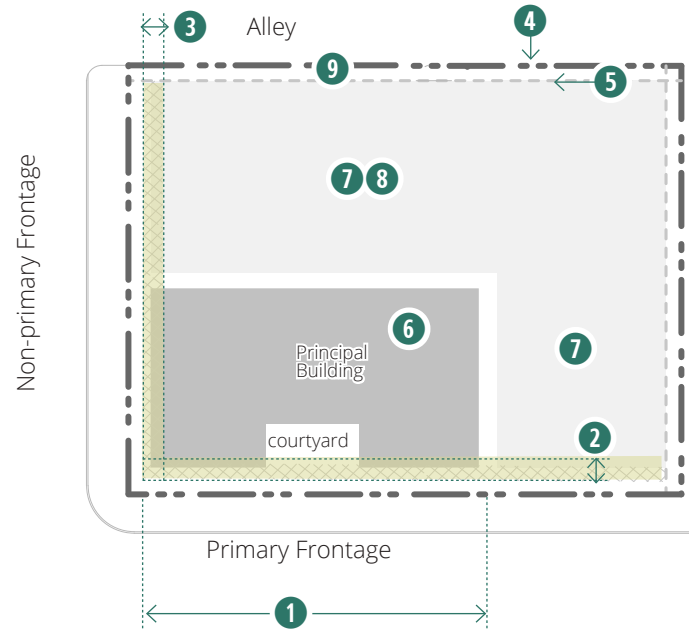


Figure 70.3.E-4. **General Building: Building Siting**

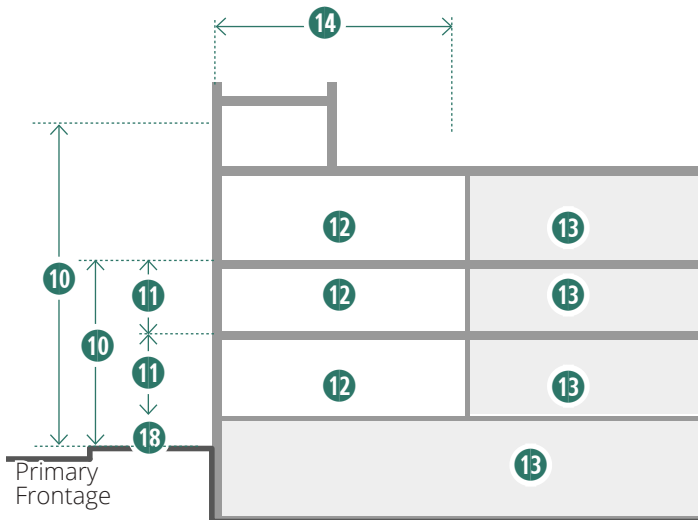


Figure 70.3.E-2. **General Building: Height & Use Requirements**

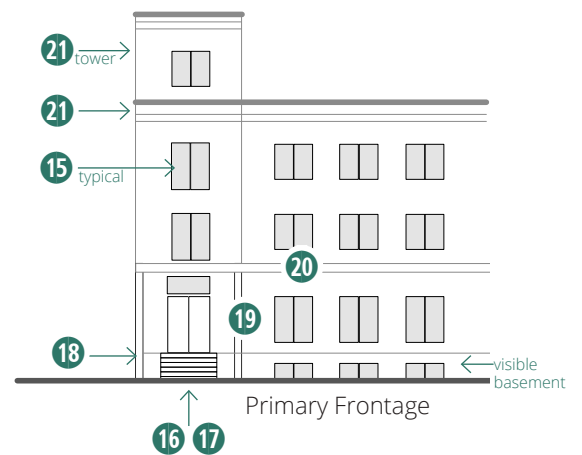


Figure 70.3.E-3. **General Building: Facade Design Requirements**

70-3. Building Types

General Building Type

3. **Supplemental Regulations and Explanations.** The following supplements the table regulations for this building type.
- a. **Courtyards.** One courtyard, maximum of 30% of facade width or 30 feet wide, whichever is less, may count towards the minimum primary frontage coverage for the General building.
 - b. **Build-to Zone Exceptions.** For the General building, the primary street or the non-primary street build-to zone may expand to between 5 and 25 feet for a maximum of 15 percent of the frontage to allow for additional seating, plaza, or landscape area.
 - c. **Required Stepped-Back Upper Stories.** Refer to [Figure 70.1.G-1](#) Regulating Plan for the SCMU districts for locations where buildings are required to step-back upper stories.
 - (1) Along Woerner Avenue, stories above the 4th shall be stepped back a minimum of 12 feet from the front facade located in the build-to zone. See [Figure 70.3.C-3](#), section of the Storefront building, for an illustration of this setback.
 - (2) At the floodwall, where building facades overlook a commercial manor building type site, building facades above the 3rd story shall be stepped back a minimum of 12 feet for the 4th story and 24 feet for the 5th story, measured from the 1st through 3rd story facades facing the floodwall. See [Figure 70.3.C-5](#) in Storefront building supplemental regulations for an illustration of these step-backs.
 - (3) Lower stories shall be capped with permitted cap type.
 - (4) The roofs of the lower stories may be utilized for terraces.
 - d. **Parking Facades at Floodwall.** Where building facades face the floodwall, stories located fully below the top of the floodwall may be utilized for parking without fulfilling the requirement for occupied space. Those facades must not be visible from the street.
 - e. **Additional Height at Market Street.** Refer to [Figure 70.1.G-1](#) Regulating Plan for the location on Market Street at Missouri Avenue, where an additional 3 stories of height above the maximum 5 stories is permitted. All stories above 5 stories shall be setback from Woerner Ave a minimum of 300 feet and a minimum of 12 feet from Market Street.

F. ROW BUILDING TYPE

The regulating plan in [Figure 70.1.G-1](#) shows permitted locations for this building type. Refer to [Sec.70-2](#) for information on locations for this building type on Master Plan sites.

1. **Intent and Description.** The Row building type is similar to the General building, but is smaller in scale and divided into a series of vertical units each with separate entrances. Townhouses, rowhouses, or live-work units exemplify this building type.



Figure 70.3.F-1. **Illustrative Examples of Row Building.** Each building image may not exhibit all of the requirements of the building type.



70-3. Building Types

Row Building Type

2. **Regulations.** The following defines the requirements specific to this building type. Refer to [Sec. 70-3.A](#) through C for requirements applicable to all building types and [Sec. 70-5](#) for general building design applicable to all building types. Refer to [Sec. 70-7](#) for definitions and measuring table requirements.

		ROW-OFFICE Building Type	ROW-RESIDENTIAL Building Type	REFERENCES/ADDITIONAL REQUIREMENTS	
BUILDING SITING Refer to Figure 70.3.F-4 .					
For the purposes of the Row building type, a building consists of multiple units.			Refer to Sec. 70-3.F.3 for courtyards Refer to Sec. 70-3.B for explanation of primary and non-primary frontages.		
1	Minimum Primary Frontage Coverage	80% required; courtyards permitted			70% required; courtyards permitted
2	Primary Frontage Build-to Zone	5 ft. to 20 ft.			10 ft. to 15 ft.
3	Non-Primary Frontage Build-to Zone	5 ft. to 15 ft.			5 ft. to 15 ft.
4	Minimum Side Setback Minimum Space between Buildings	5 ft. from side lot line 15 ft.			10 ft. from side lot line 15 ft.
5	Minimum Rear Setback	15 ft.; 5 ft. adjacent to alley	15 ft.; 5 ft. adjacent to alley		
6	Building Length per Street Face	Maximum 8 units or 160 ft., whichever is less		Building length is measured along street faces.	
7	Maximum Site Impervious Coverage Additional Semi-Pervious Coverage	75% 20%	70% 15%		
8	Surface or Accessory Parking, Refuse & Recycling, Utilities, & Loading Location	Rear yard only		Refer to Sec. 70-6.D for screening requirements.	
9	Permitted Driveway Location Permitted Garage Entrance Location	Alley only Rear facade only of principal building		Refer to Sec. 70-3.B.4 for driveway access exception where there is no alley. Refer to Sec. 70-5.M for garage door requirements.	
HEIGHT Refer to Figure 70.3.F-2 .					
10	Overall: Minimum Height Maximum Height	2 stories 3.5 stories	2 stories 3 stories		
11	All Stories: Minimum Height Maximum Height	9 ft. 14 ft.		Stories are measured floor to floor.	
USES Refer to Figure 70.3.F-2 .					
12	All Stories	All permitted uses per Table 70.4-A. Permitted Uses .		Refer to Sec. 70-4 , for use definitions.	
13	Parking within Building	Permitted fully in any basement and in rear of ground story		Refer to Occupied Building Space requirement below.	
14	Required Occupied Building Space	Minimum 20 ft. deep on all full height floors from any primary street facade. Not required in any basement.		Refer to Sec. 70-7.A , for definition for Occupied Building Space.	
FACADE & CAP REQUIREMENTS Refer to Figure 70.3.F-3 .					
15	Transparency: Street Facades & Facades Visible from the Street	Minimum 15%, measured per story of all stories. Blank wall limitations apply to primary street facades.		Blank wall limitations apply per Sec. 70-7.B.7 .	
16	Entrance Location & Number	Each unit requires one principal entrance on a street, courtyard, or open space facade. Minimum of one principal entrance required per 30 ft. of primary street facade.		Refer to Sec. 70-5.K , for Principal Entryway requirements.	
17	Entrance Configuration	Entry doors shall be off a stoop, minimum 4 ft. wide and 3 ft. deep, OR a porch, minimum 8 ft. wide & 5 ft. deep. No more than 2 entry doors may be located off each stoop or porch.			
18	Entrance/Ground Story Elevation on Primary Frontage Facade	80% of entrances and the ground story shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5 ft. with a visible basement (transparency required)			
19	Ground Story Vertical Facade Divisions	One 2" deep shadow line per every 60 ft. of street facade width or every 2 units, whichever is less		Refer to Sec. 70-5.L for building articulation, including building variety.	
20	Horizontal Facade Divisions	One 2" deep shadow line within 3 ft. of any visible basement on any street facade			
21	Permitted Cap Types	Parapet, pitched, flat; one tower is permitted per building		Refer to Sec. 70-3.I , for definition of Cap Types and waiver for other cap types..	

70-3. Building Types

Row Building Type

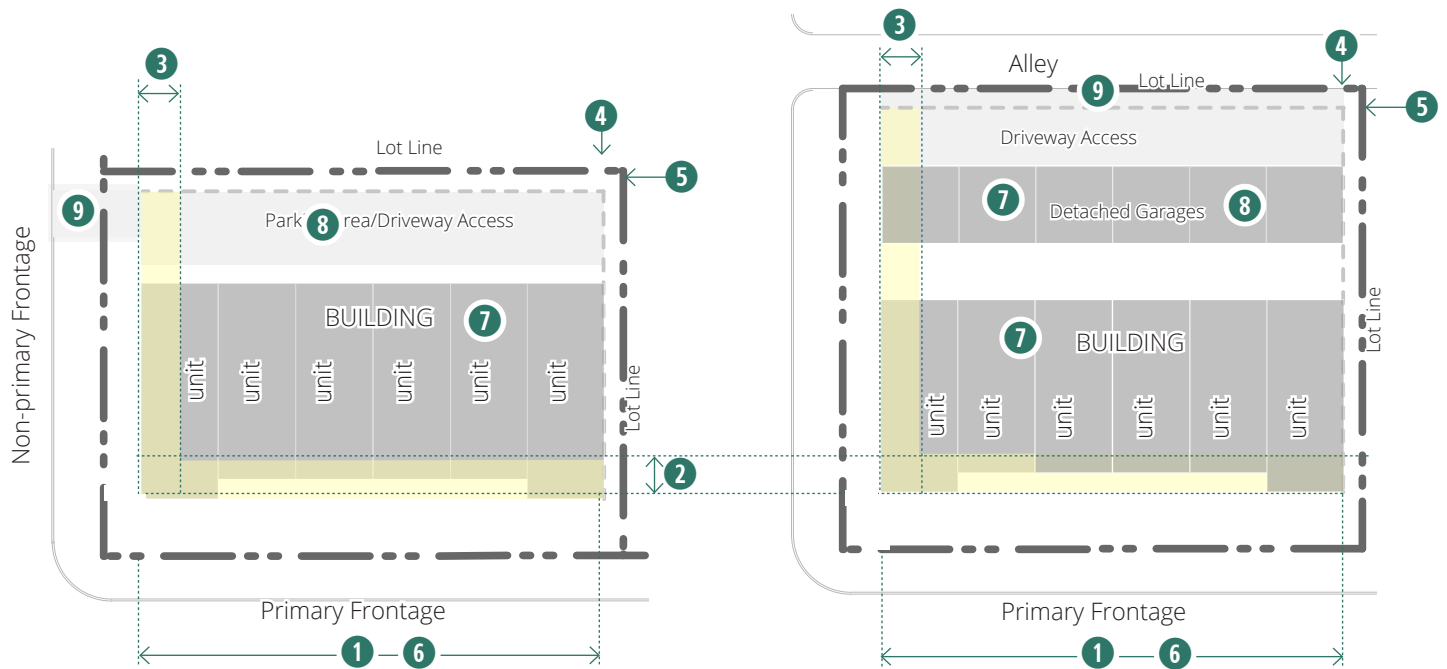


Figure 70.3.F-4. **Row Building: Building Siting**

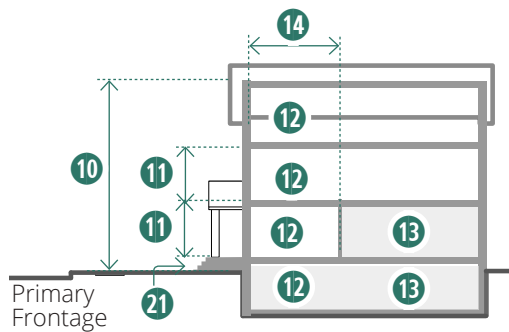


Figure 70.3.F-2. **Row Building: Height & Use Requirements**



Figure 70.3.F-3. **Row Building: Facade Design Requirements**

70-3. Building Types

Row Building Type

3. **Supplemental Regulations and Explanations.** The following supplements the table regulations for this building type.
 - a. **Courtyards.** One courtyard, maximum of 30% of facade width or 30 feet wide, whichever is less, may count towards the minimum primary frontage coverage for the Row building.
 - b. **Front Facades and Entrances.** Each unit shall have a facade located within the primary build-to zone, except 1 of every 3 units may front a courtyard, open space, or non-primary street with its principal entrance. See [Figure 70.3.F-5. Row Building: Courtyard Layout Example.](#)
 - c. **Build-to Zone at Courtyards.** For units fronting courtyards or open space, the build-to zone is measured from the edge of the courtyard or lot line of the open space. See [Figure 70.3.F-5. Row Building: Courtyard Layout Example.](#)

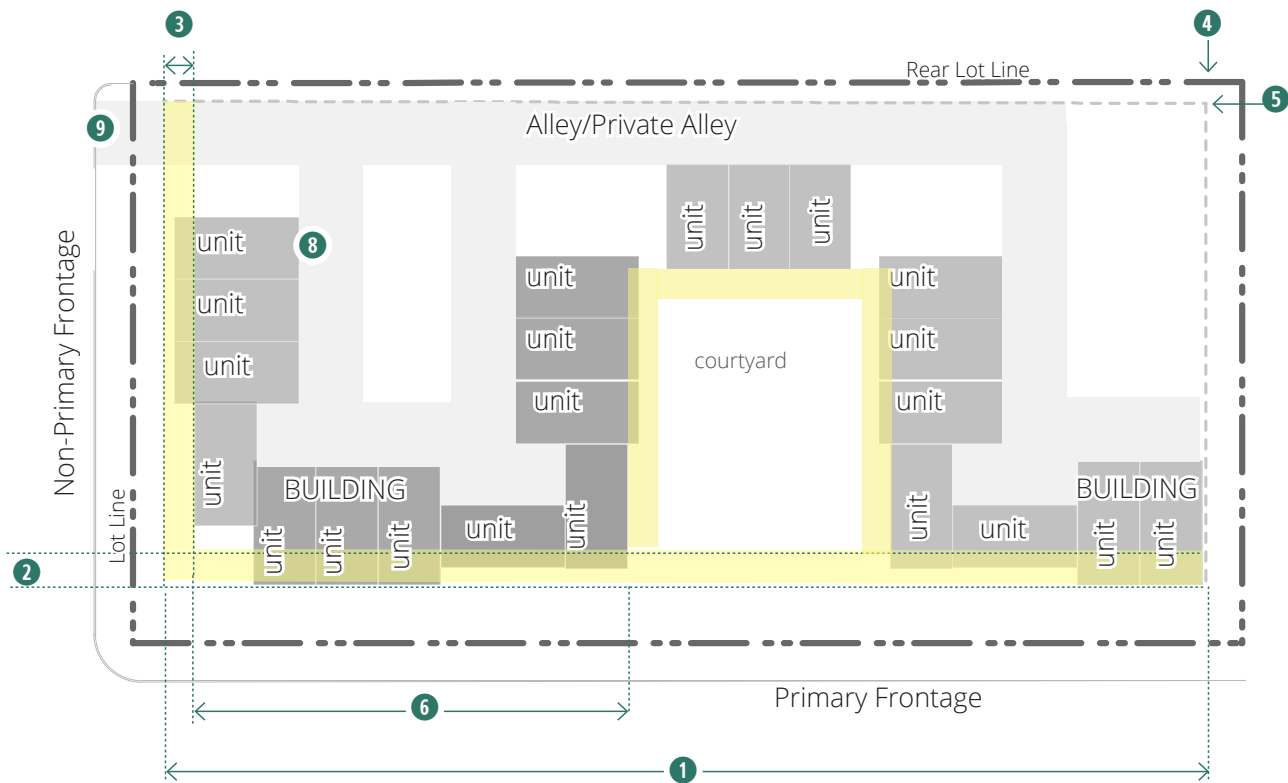


Figure 70.3.F-5. Row Building: Courtyard Layout Example

G. WORKSHOP BUILDING TYPE

The regulating plan in [Figure 70.1.G-1](#) shows permitted locations for this building type. Refer to [Sec.70-2](#) for information on locations for this building type on Master Plan sites.

1. **Intent and Description.** The Workshop building type is similar to the General building, but allows for more flexibility in uses, including light industrial and maker spaces. To aid those more flexible uses, the workshop building also allows for service bays, loading, and vehicular doors in more locations, though limited in design.



Figure 70.3.G-1. **Illustrative Examples of Workshop Building.** Each building image may not exhibit all of the requirements of the building type.



70-3. Building Types

Workshop Building Type

2. **Regulations.** The following defines the requirements specific to this building type. Refer to [Sec. 70-3.A](#) through C for requirements applicable to all building types and [Sec. 70-5](#) for general building design applicable to all building types. Refer to [Sec. 70-7](#) for definitions and measuring table requirements.

		WORKSHOP Building Type	REFERENCES/ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to Figure 70.3.E-4 .			
1	Minimum Primary Frontage Coverage	70% required; one courtyard permitted	Refer to Sec. 70-3.G.3 for measuring and courtyards.
2	Primary Frontage Build-to Zone	5 ft. to 20 ft.	Refer to Sec. 70-3.B for explanation of primary and non-primary frontages.
3	Non-Primary Frontage Build-to Zone	5 ft. to 15 ft.	
4	Minimum Side Setback	5 ft.	
5	Minimum Rear Setback	10 ft.; minimum 20 ft. if abutting a building type permitting residential on ground story	
6	Maximum Site Impervious Coverage Additional Semi-Pervious Coverage	75% 10%	
7	Surface or Accessory Parking	Rear, limited side yard parking	
8	Refuse & Recycling, Utilities, & Loading Location	Rear yard only	Refer to Sec. 70-6.D for screening requirements.
9	Permitted Driveway Location Permitted Garage Entrance Location	Alley only Rear or side facade; front facade up to 35%	Refer to Sec. 70-7.B.4 for driveway access exception where there is no alley. Refer to Sec. 70-5.M. for garage door design requirements.
HEIGHT Refer to Figure 70.3.E-2 .			
10	Overall: Minimum Height Maximum Height	1 story; minimum height 18 feet 4.5 stories	
11	All Stories: Minimum Height Maximum Height	14 ft. 18 ft.	Stories are measured floor to floor. .
USES Refer to Figure 70.3.E-2 .			
12	All Frontages & Stories	All permitted uses per Table 70.4-A. Permitted Uses .	Refer to Sec. 70-4 . for use definitions.
13	Parking within Building	Permitted fully in any basement and in rear of all other stories	Refer to Occupied Building Space requirement below.
14	Required Occupied Building Space	Minimum 20 ft. deep on all full height floors from any primary street facade; not required in any basement	Refer to Sec. 70-7.A. for definition for Occupied Building Space.
FACADE & CAP REQUIREMENTS Refer to Figure 70.3.E-3 .			
15	Required Transparency Street Facades & Facades Visible from the Street	Minimum 15%, measured per story of all stories. Blank wall limitations apply to street facades only.	Note that Sec. 70-3.B.3 requires primary frontage treatment to turn corners. Blank wall limitations apply per Sec. 70-7.B.7 .
16	Entrance Location & Number	Principal entrance required on primary frontage facade; entrances required a minimum of one per every 90 ft. of building facade	Refer to Sec. 70-5.K. for Principal Entryway requirements.
17	Entryway Configuration	Entry doors shall be off a stoop, minimum 6 ft. wide and 3 ft. deep	
18	Entrance/Ground Story Elevation	Entrances and minimum 80% of the ground story shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5 ft. with visible basement (transparency required)	
19	Ground Story Vertical Facade Divisions	One minimum 2" deep shadow line per every 100 ft. of street facade width	Refer to Sec. 70-5.L for building articulation, including building variety.
20	Horizontal Facade Divisions	One minimum 2" deep shadow line within 3 ft. of the top of the ground story on any street facade	
21	Permitted Cap Types	Parapet, flat; tower permitted	Refer to Sec. 70-3.I. for definition of Cap Types and waiver for other cap types.

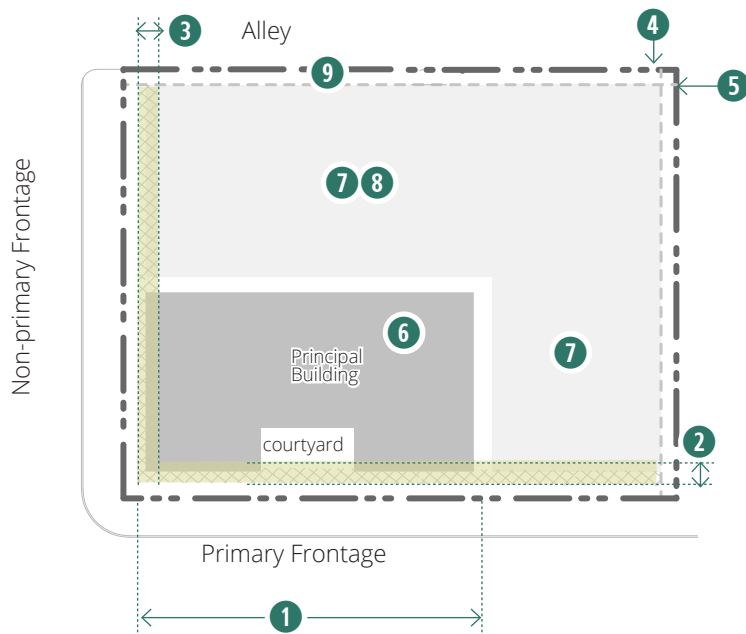


Figure 70.3.G-4. **Workshop Building: Building Siting**

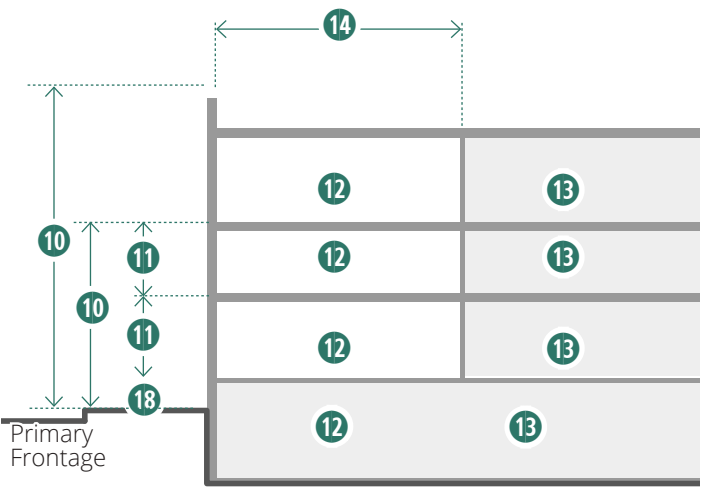


Figure 70.3.G-2. **Workshop Building: Height & Use Requirements**

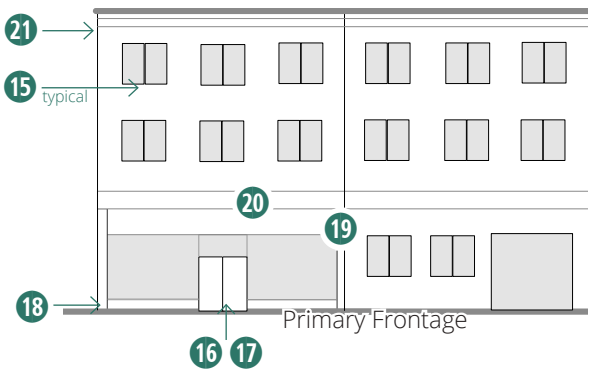


Figure 70.3.G-3. **Workshop Building: Facade Design Requirements**

Workshop Building Type

3. **Supplemental Regulations and Explanations.** The following supplements the table regulations for this building type.
 - a. **Courtyards.** One courtyard, maximum of 30% of facade width or 30 feet wide, whichever is less, may count towards the minimum primary frontage coverage for the Workshop building. Parking and garage entrances are not permitted off the courtyard.

H. CIVIC BUILDING TYPE

The regulating plan in [Figure 70.1.G-1](#) shows permitted locations for this building type. Refer to [Sec.70-2](#) for information on locations for this building type on Master Plan sites.

1. **Intent and Description.** The Civic building type is the most flexible building, meant to allow for singular, more iconic designs. This building type, however, is limited to civic and institutional uses.



Figure 70.3.H-1. **Illustrative Examples of Civic Building.** Each building image may not exhibit all of the requirements of the building type.



70-3. Building Types

Civic Building Type

2. **Regulations.** The following defines the requirements specific to this building type. Refer to [Sec. 70-3.A](#) through C for requirements applicable to all building types and [Sec. 70-5](#) for general building design applicable to all building types. Refer to [Sec. 70-7](#) for definitions and measuring table requirements.

In all locations, development of this building type requires approval of a design waiver per [Sec. 70-1.G](#).

		ALL LOCATIONS	REFERENCES/ ADDITIONAL REQUIREMENTS
BUILDING SITING Refer to Figure 70.3.H-4 .			
1	Minimum Primary Frontage Coverage	none required	
2	Primary Frontage Minimum <u>Setback</u>	15 ft.	Refer to Sec. 70-3.B for explanation of primary and non-primary frontages...
3	Non-primary Frontage Minimum <u>Setback</u>	10 ft.	
4	Minimum Side Setback	15 ft.	
5	Minimum Rear Setback	15 ft.	
6	Maximum Building Length	None required	
7	Maximum Site Impervious Coverage Additional Semi-Pervious Coverage	50% 30%	
8	Surface or Accessory Parking, Refuse & Recycling, Utilities, & Loading Location	Rear yard, limited side yard	Refer to Sec. 70-6.D for screening requirements.
9	Permitted Driveway Location Permitted Garage Entrance Location	Alley only Rear or side facade	Refer to Sec. 70-7.B.4 for driveway access exception where there is no alley.
2. HEIGHT Refer to Figure 70.3.H-2 .			
10	Overall: Minimum Height Maximum Height	1 stories 3.5 stories	
11	All Stories: Minimum Height Maximum Height	9 ft.; 15 ft. for single story building 18 ft.; 24 ft. on single story building	Stories are measured floor to floor.
USES Refer to Figure 70.3.H-2 .			
12	All Frontages & Stories	Limited to Civic and Institutional categories of uses per Table 70.4-A. Permitted Uses.	Refer to Sec. 70-4 . for use definitions.
13	Parking within Building	Permitted fully in any basement and in rear of all other stories	Refer to Occupied Building Space requirement below.
14	Required Occupied Building Space	Minimum 20 ft. deep on all full height floors from any street facade. Not required in any basement.	Refer to Sec. 70-7.A . for definition for Occupied Building Space.
FACADE & CAP REQUIREMENTS Refer to Figure 70.3.H-3 .			
15	Transparency: Street Facades & Facades Visible from the Street	Minimum 12%, measured per story of all stories	Blank wall limitations apply to primary street facade per Sec. 70-7.B.7 .
16	Entrance Location & Number	Principal entrance required on primary frontage facade	Refer to Sec. 70-5.K . for Principal Entryway requirements.
17	Entrance Configuration	No requirement other than principal entryway design requirements	
18	Entrance/Ground Story Elevation	Principal entrance and 80% of the ground story shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5 ft. with visible basement (transparency required)	
19	Ground Story Vertical Facade Divisions	No requirement; one 2" deep shadow line recommended per every 60 ft. of facade width, whichever is less	Refer to Sec. 70-5.L for building articulation, including Building Variety.
20	Horizontal Facade Divisions	No requirement; one 2" deep shadow line recommended within 3 ft. of any visible basement	
21	Permitted Cap Types	Parapet, pitched, flat, other with design waiver per Sec. 70-1.G ; tower permitted	Refer to Sec. 70-3.I . for definition of Cap Types and waiver for other cap types..

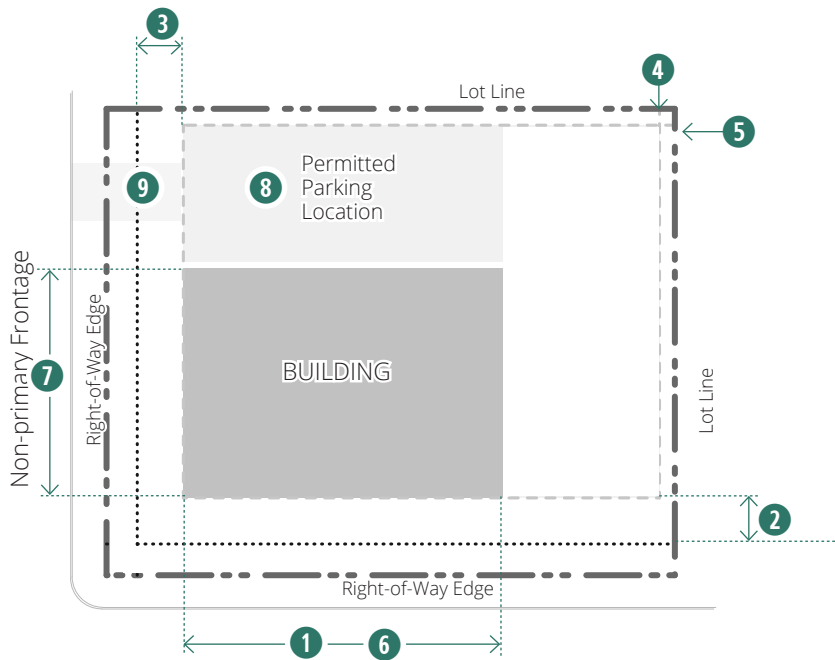


Figure 70.3.H-4. **Civic Building: Building Siting**

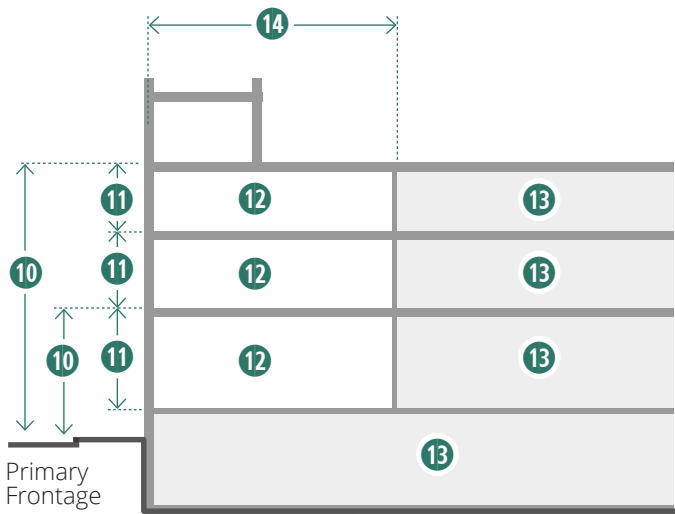


Figure 70.3.H-2. **Civic Building: Height & Use Requirements**

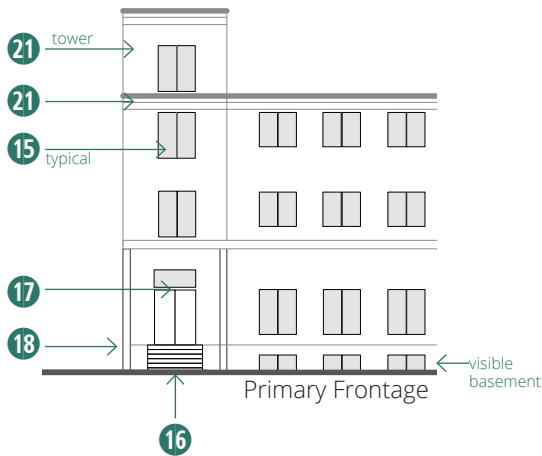


Figure 70.3.H-3. **Civic Building: Facade Design Requirements**

70-3. Building Types
Civic Building Type

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I. CAP TYPES

1. General Requirements Applicable to All Cap Types.

- The major components of any roof shall meet the requirements of one of the cap types permitted per building type.
- Roofs for bay or bow windows and dormers are not required to meet a cap type.
- Terraces, green roofs, rooftop gardens, and other outdoor facilities are permitted on any roof, except any permanently covered area is considered a story. Where the cover is visible from any public way or open space, the cover shall comply with a cap type. The tower may be applied to these outdoor areas.

2. Parapet Cap Type. (Refer to Figure 70.3.I-1. Example of a Parapet Cap Type). A parapet is a low wall projecting above a building's roof along the perimeter of the building on all street facades and facades visible from the street or any open or civic space.

- Parapet Height.** Height is measured from the top of the upper story to the top of the parapet. Minimum height is 2 feet with a maximum height of 6 feet. Horizontal shadow lines. An shadow line shall define the parapet from the upper stories of the building and shall also define the top of the cap. Refer to [Sec. 70-6.A](#) for definition of shadow line.
- Occupied Building Space.** Occupied building space shall not be incorporated behind this cap type.

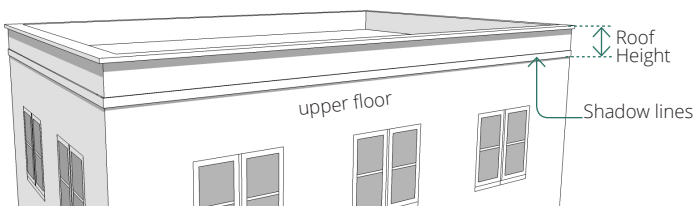


Figure 70.3.I-1. **Example of a Parapet Cap Type**

- Rooftop Appurtenances.** With the exception of solar panels, any rooftop appurtenances shall be located towards the rear or interior of the parapet roof. The parapet shall screen the mechanicals from the elevation of the sidewalk across the street

3. Flat Cap Type. (Refer to Figure 70.3.I-2. Example of a Flat Cap Type). This cap type is a visibly flat roof with overhanging eaves.

- Configuration.** The roof shall have no visible slope from the street and eaves are required on all primary and non-primary frontage facades and facades visible from the street, any open space, or any civic space.
- Eave Depth.** Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least 14 inches.
- Eave Thickness.** Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of 6 inches thick.
- Interrupting Vertical Walls.** Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.
 - No more than one-third of the front facade may consist of an interrupting vertical wall.
 - Vertical walls shall extend no more than 8 feet above the top of the eave.
- Occupied Building Space.** Occupied building space shall not be incorporated behind this cap type.

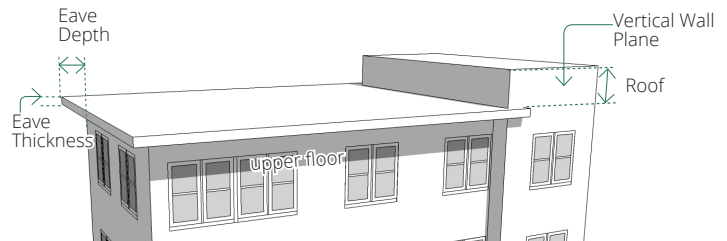
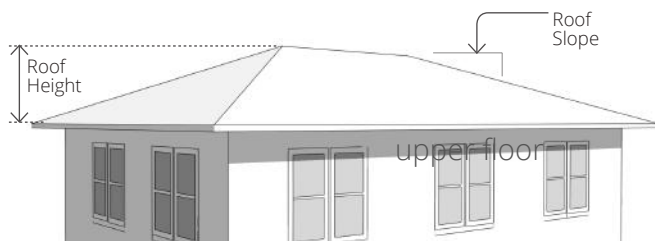


Figure 70.3.I-2. **Example of a Flat Cap Type**

70-3. Building Types

Cap Types

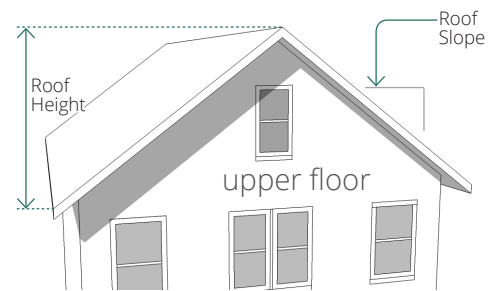
- f. **Rooftop Appurtenances.** With the exception of solar panels, any rooftop appurtenances shall be located behind the interrupting vertical wall with no visibility on any street elevation drawing.
4. **Pitched Cap Type.** (Refer to [Figure 70.3.I-3. Examples of Pitched Cap Type](#)). This cap type is a sloped or pitched roof, where the slope occurs on all street facades, any open space facade, and civic space facade. Slope is measured with the vertical rise divided by the horizontal span or run.
 - a. **Pitch Measure.** The roof may not be sloped less than a 4:12 (rise:run) or more than 14:12. Slopes less than 4:12 are permitted to occur on second story or higher roofs.
 - b. **Configurations.**
 - (1) Hipped, gabled, and combination of hips and gables with or without dormers are permitted.
 - (2) Butterfly (inverted gable roof) and shed roofs are not permitted, unless a design waiver is approved.
 - (3) Gambrel and mansard roofs are not permitted.
 - c. **Parallel Ridge Line.** A gabled end or perpendicular ridge line shall occur at least every 100 feet of roof when the ridge line runs parallel to the front lot line. (Refer to [Figure 70.3.I-3. Examples of Pitched Cap Type](#)).
 - d. **Roof Height.** Roofs without occupied building space and/or dormers shall have a maximum height on primary and non-primary frontage facades equal to no more than 1.5 times the upper story floor to floor height utilized on the building.
- e. **Occupied Building Space.** Occupied building space may be incorporated behind this cap type. If used, the space counts as a half story.
- f. **Rooftop Appurtenances.** With the exception of solar panels, any rooftop appurtenances shall be recessed within the pitched roof with no visibility on any street elevation drawing.
5. **Other Cap Types.** Special cap designs otherwise not defined in this section may be approved through a design waiver during the review process with the following requirements:
 - a. The building or portion of building receiving the cap type shall warrant a separate status from the majority of buildings in the zone, with a correspondence between the form of the cap and the building use, such as a dome for a planetarium, a dome for a place of worship, or a unique, singular roof for a more distinctive performing arts venue.
 - b. The cap type shall not create additional occupiable space beyond that permitted by the building type.
 - c. The scale and type of the cap type shall be consistent with the character of South Clarksville and the town.
 - d. The shape of the roof shall be different from those defined in this section this [Sec. 70-3.I](#), such as a dome, spire, or vault, and not a gabled roof, hipped roof, roof with parapet, or



Low Pitched Roof Cap Type (Hip Roof)



Parallel Pitched



Pitched Cap Type (Gable Roof)

Figure 70.3.I-3. **Examples of Pitched Cap Type**

6. **Towers.** A tower is a vertical element, polygonal (simple), rectilinear or cylindrical in plan that shall be used with other cap types. Refer to Figure 70.3.I-4. Example of a Tower.
 - a. **Location and Quantity.** Unless otherwise defined in the building type tables ([Sec. 70-3.C](#) through [Sec. 70-3.H](#)), the following applies:
 - (1) A maximum of 2 towers total are permitted within 15 feet of all street facades
 - (2) 2 additional towers are permitted a minimum of 30 feet from a street facade.
 - (3) Tower locations are typically limited to allowing towers associated with the facade design and visible from the street, and those more functional towers located beyond the facade.
 - (4) Towers shall not be located within any required step-back per the building type.
 - b. **Tower Height.** Maximum height, measured from the top of the parapet or eave to the top of the tower shaft not including the cap, is the equivalent of the height of one upper floor of the building to which the tower is applied.
 - c. **Tower Width.** Maximum width along all facades is one-third the width of the front facade or 30 feet, whichever is less.
 - d. **Tower Spacing.** Towers shall be generally spaced from other towers a minimum of 60 feet and specifically by a minimum of 120 feet along a primary or non-primary frontage facade.
 - e. **Transparency.** Towers that meet the minimum floor-to-floor to height of the building type and are located within 30 feet of a facade shall meet the minimum transparency requirements of the building.
 - f. **Horizontal Shadow lines.** A shadow line is required between the 4th and 5th stories of any tower and at the cap of the tower.
 - g. **Occupied Building Space.** Towers may be occupied by the same uses allowed in upper stories of the building type to which it is applied, unless otherwise stated.
 - h. **Rooftop Appurtenances.** No rooftop appurtenances are permitted on tower roofs.
 - i. **Tower Cap.** The tower may be capped by the parapet, pitched, or flat roof cap types.

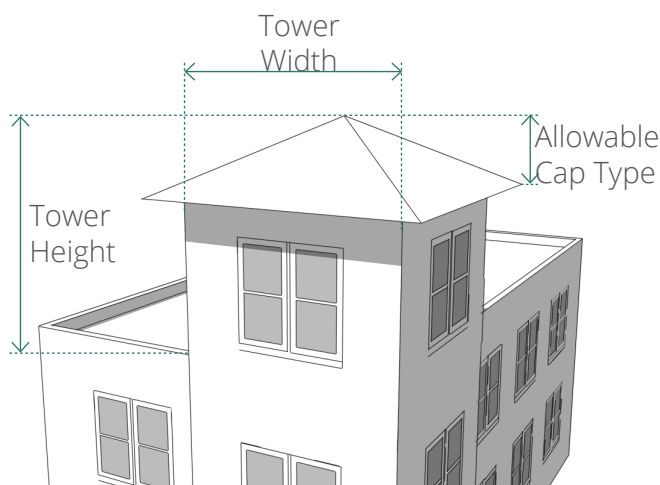


Figure 70.3.I-4. **Example of a Tower**

70-4. Uses

General Provisions

70-4. USES

Uses are allowed in the SCMU district in accordance with the following table by building type. Uses may be further restricted by the building type regulations (refer to [Sec. 70-3.C](#) through [Sec. 70-3.H](#)).

A. GENERAL PROVISIONS

1. A lot may contain more than one principal use, unless otherwise specified.
2. Each of the principal uses may function as either a principal use or accessory use on a lot, unless otherwise specified.
3. Each use shall be located indoors (within a permitted building type), unless otherwise expressly stated.

B. TABLE OF PRINCIPAL USES

[Table 70.4-A](#) identifies the uses allowed in each building type.

1. **Permitted Use ("P").** Uses designated with "P" are permitted by-right in the building types in which they are listed, in all locations within the building, unless otherwise noted. Use-specific standards may apply to the use per the definition.
2. **Permitted in Limited Building Locations ("U").** Uses designated with "U" are permitted by-right in the building types in which they are listed, provided that the uses are located in the upper stories of the structure, in the ground story beyond a depth of at least 20 feet from the front facade, or within any basement.
3. **Permitted with Limitations on Area ("L").** Uses designated with "L" are permitted by-right

TABLE 70.4-A. PERMITTED USES

	STOREFRONT Building Type	RIVERFRONT Building Type	COMMERCIAL MANOR Building Type	GENERAL- OFFICE & ROW-OFFICE Building Type	GENERAL- RESIDENTIAL & ROW-RESIDENTIAL Building Type	WORKSHOP Building Type	CIVIC Building Type	HISTORIC DISTRICT Buildings	REFERENCE
RESIDENTIAL									
Dwelling, One Unit	U	-	P	U	P	U, C	-	P	Sec. 70-4.F.1.
Dwelling, 2-4 Unit	U	-	P	U	P	-	-	P	Sec. 70-4.F.1.
Dwelling, 5+ Unit	U	-	-	U	P	-	-	P	Sec. 70-4.F.1.
Dwelling, Group Home	-	-	-	-	C	-	-	C	Sec. 70-4.F.2.
CIVIC AND INSTITUTIONAL									
Assembly	-	P	-	C	C	-	P	C	Sec. 70-4.F.3.
Higher Education Facility	U	-	-	P	-	-	P	P	Sec. 70-4.F.4.
Surgery Center	-	-	-	P	-	-	P	P	Sec. 70-4.F.5.
Library, Museum, Cultural Institution	P	P	-	P	-	-	P	P	Sec. 70-4.F.5.
Parks and Recreation	C	P	P	C	C	-	P	P	Sec. 70-4.F.6.
Police, Fire Station	C	-	-	C	C	-	P	C	Sec. 70-4.F.7.
School, Pre-Kinder to Intermediate	-	-	C	P	-	-	P	P	Sec. 70-4.F.8.
Utility Facility, Minor	P	-	P	P	P	P	P	P	
OFFICE AND CLASSROOM									
Office									Sec. 70-4.F.9
Business or professional office	U	-	P	P	-	P	-	P	Sec. 70-4.F.9
Medical, dental or health practitioner office	P	-	P	P	-	P	-	P	Sec. 70-4.F.9
Collaborative Workspace	P	-	P	P	-	P	-	P	Sec. 70-4.F.10
Research and Laboratories	U	-	-	P	-	P	-	P	Sec. 70-4.F.11
Trade School	U	-	-	P	-	P	-	P	Sec. 70-4.F.12
KEY: P = Use permitted as of right U = Permitted in rear of ground story or upper stories only C = Requires conditional use approval L = Limited to a gross floor area of no more than 30% of the building footprint - = Prohibited use									

in the building types in which they are listed, however, the total gross square footage of all “L” uses on the lot is limited to no more than 30% of the total building footprint.

4. **Requires Conditional Use Permit (“C”).** Uses designated with “C” require a conditional use permit per Sec. 225-120 in order to occur in the building types in which they are listed. The use must meet any use-specific standards defined for the use in this section as well as meet any requirements of the conditional use approval. The use may occur anywhere in the building, unless otherwise specified.
5. **Prohibited Use.** A dash (“-”) in the use table indicates that the use is prohibited in that building type.

C. PROHIBITED USES

The following uses are expressly prohibited within the SCMU district:

1. Adult businesses
2. Drive-through facilities
3. Funeral home or mortuary service
4. Gun shops
5. Laundromats
6. Personal credit establishment (see [Sec. 70-3.15 for definition](#))
7. Tattoo and piercing parlors
8. Vape shops

TABLE 70.4-A. PERMITTED USES

	STOREFRONT Building Type	RIVERFRONT Building Type	COMMERCIAL MANOR Building Type	GENERAL- OFFICE & ROW-OFFICE Building Type	GENERAL- RESIDENTIAL & ROW-RESIDENTIAL Building Type	WORKSHOP Building Type	CIVIC Building Type	HISTORIC DISTRICT Buildings	REFERENCE
RETAIL AND SERVICE									
Broadcast or Recording Studio	U	-	P	P	-	-	-	P	
General Service	P	-	P	L	-	-	-	P	Sec. 70-4.F.13
Animal Service (no outdoor kenneling)	P	-	P	-	-	-	-	P	Sec. 70-4.F.13
Child Care Center	P	-	P	P	-	-	-	P	
Eating and Drinking Establishments (no drive-through facilities)	P	C	P	L	-	-	-	P	
Entertainment									
Indoor	P	C	P		-	-	-	P	Sec. 70-4.F.14
Outdoor	-	C	-	-	-	-	-	-	Sec. 70-4.F.14
Financial Services, except personal credit establishment (no drive-through facilities)	P	-	P	P	-	-	-	P	Sec. 70-4.F.15
Hotel	P	-	P	P	C	-	-	P	Sec. 70-4.F.16
Personal Storage Facility	-	-	-	-	-	-	-	C	Sec. 70-4.F.17
Retail Sales									
Artisan	P	-	P	-	-	P	-	P	Sec. 70-4.F.18
General retail	P	-	P	L	-	-	-	P	Sec. 70-4.F.18
Large-scale retail (no outdoor storage)	C	-	-	-	-	-	-	C	Sec. 70-4.F.18
Studio or Instructional Service	P	L	P	P	-	-	-	P	Sec. 70-4.F.19
OTHER									
Limited Industrial	-	-	-	-	-	C	-	C	Sec. 70-4.F.20
Parking Lot (Principal Use)	C	-	C	C	C	C	C	-	Sec. 70-4.F.21
KEY: P = Use permitted as of right U = Permitted in rear of ground story or upper stories only C = Requires conditional use approval L = Limited to a gross floor area of no more than 30% of the building footprint - = Prohibited use									

Temporary Uses

9. Vehicle supply shops
10. Vehicle sales and service uses, such as fueling stations, personal vehicle repair and maintenance, personal vehicle sales and rentals, vehicle body and paint finishing.

D. TEMPORARY USES

Refer to Sec. 150-250 for temporary events permitted and approval processes.

E. ACCESSORY USES

Customary accessory uses are permitted, unless otherwise stated in the use definition.

1. **Outdoor Dining.** Outdoor dining areas are permitted associated with eating and drinking establishments per Sec. 150-150. An encroachment permit is required for outdoor dining located in a public right-of-way.
2. **Temporary Outdoor Display.** Temporary outdoor display of retail merchandise for sidewalk sales is permitted with the following conditions:
 - a. The displayed merchandise shall be items regularly sold in the abutting store.
 - b. The display shall occur only on sidewalks where a minimum of 6 feet of clear sidewalk area shall be maintained.
 - c. The display may not be located within 15 feet of a street intersection, measured in each direction from the mid-radius of the curb at the corner of the intersection.
 - d. The occurrence is permitted for no more than 5 continuous days, no more than 15 times per year.
3. **Outdoor Display.** Permanent outdoor display of goods is not permitted.
 - a. A design waiver may be approved for the permanent outdoor display of goods. Refer to [Sec. 70-1.G](#)
 - b. The outdoor display shall not occur within a public or private street right-of-way.
 - c. The display shall be consistent with the character of the area and with appropriate presentation and screening.
 - d. The only goods permitted for display shall be consumer retail goods intended for outdoor

use, such as gardening supplies or outdoor furniture.

F. SPECIFIC USE DEFINITIONS & STANDARDS.

1. **Residential.** Residential means the use of one or more dwelling units located within the principal structure of a lot by a household
 - a. **One-Unit Dwelling.** One principal dwelling unit located on a lot that does not contain any other principal dwelling units.
 - b. **2-Unit Dwelling.** Two principal dwelling units, both of which are located on the same lot, with no other principal dwelling units located on such lot.
 - c. **3-Unit Dwelling.** Three principal dwelling units, all 3 of which are located on the same lot, with no other principal dwelling units located on such lot.
 - d. **Multi-Unit Dwelling.** Four or more principal dwelling units, all of which are located on the same lot.
2. **Group Home Dwelling.** A facility where a group of persons other than a household resides together with a common purpose or goal. Refer to state regulations.
3. **Assembly.** A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting, generally with little or no relationship to commerce. Includes places of worship, religious institutions, community centers, convention centers, performing arts venues, town hall.
4. **Higher Education Facility.** A non-profit institution for post-secondary education, public or private, for higher education that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees.
5. **Library, Museum, Cultural Institution.** A facility open to the general public housing educational, cultural, artistic, or historic information, resources, and exhibits. May also include accessory food service and a gift shop.
6. **Parks and Recreation.** A use of land for active or passive, outdoor space available to the general

Specific Use Definitions & Standards.

public. Includes such uses as parks, plazas, greens, parklets, playfields, playgrounds, and tot lots for general recreation, athletics, and leisure. This use generally has little or no relationship to commerce. May include historic structures/monuments, ornamental gardens, or arboretums. May be associated with an assembly or school use. Park uses may also be utilized to host temporary private or community events, such as a farmer's market or art fair. Additional use-specific standards include:

- a. Parking. Parking lots are not permitted in parks in any zone except by special use approval.
 - b. Stormwater Accommodations. Parks that incorporate stormwater management on a site or zone scale are encouraged.
 - c. Stormwater facilities shall be designed to accommodate additional uses, such as an amphitheater or a sports field.
 - d. Stormwater facilities shall be designed not to be fenced and shall not impede public use of the land they occupy.
7. **Police/Fire Station.** A facility providing public safety and emergency services; training facilities, and locker rooms. Limited overnight accommodations may also be included. Fire/Police Stations are permitted in applicable zones with the following use-specific standards include:
- a. Garage doors are permitted on the front facade.
 - b. Exempt from maximum driveway widths.
8. **School, Pre-Kindergarten, Elementary, Intermediate.** A public or private education facility with classrooms and offices, that may also include associated indoor facilities such as ball courts, gymnasium, theater, and food service. Parking facilities may be provided for faculty, administration, staff, and visitors.
9. **Office.** Uses that focus on providing executive, management, administrative, professional or medical services in an office setting. Examples of specific office use types include:
- a. **Business and Professional Office.** Office uses for companies and non-governmental organizations. Examples include corporate offices, law offices, architectural firms, insurance companies and other executive, management

or administrative offices for businesses and corporations. Also included are insurance claims adjusters/estimators with no more than one vehicle inspection bay and no on-site repair facilities.

- b. **Medical, Dental and Health Practitioner Office.** Office uses related to diagnosis and treatment of human patients' illnesses, injuries and physical maladies that can be performed in an office setting with no overnight care. Typical uses include offices of physicians, dentists, psychiatrists, psychologists, and chiropractors. Also includes practitioners of massage therapy, when performed solely by state-licensed professionals. Surgical, rehabilitation and other medical centers that do not involve overnight patient stays are included in this use subcategory, as are medical and dental laboratories, unless otherwise expressly indicated. Ancillary sales of medications and medical products are allowed in association with a medical, dental or health practitioner office. Does not include the following:
 - (1) Pain therapy centers and clinics, outpatient
 - (2) Abortion clinics
 - (3) Alcoholism treatment centers and clinics
 - (4) Birth control clinics
 - (5) Detoxification centers and clinics
 - (6) Drug addiction and substance abuse treatment centers and clinics

10. **Collaborative Workspace.** Uses where shared space is available for rental by professional workers typically on an hourly or daily basis. The space may provide separate desks, offices, other workspaces, and shared communal space, and may include kitchen facilities. Users may share the site to interact and collaborate as part of a community. Includes such types of spaces as coworking facilities, business incubators, and shared kitchens. To the extent practicable, public or communal space should occupy any ground story storefront spaces, i.e. lobby, reception, conference room, coffee bar.

11. **Research and Laboratories.** Uses engaged in scientific research and testing services leading to the development of new products and processes. Such uses resemble office buildings or campuses and do not involve the mass production, distribution or sale of products. Research services do not produce odors, dust, noise, vibration or

Specific Use Definitions & Standards.

other external impacts that are detectable beyond the property lines of the subject property.

12. **Trade School.** Uses in an enclosed building that focus on teaching the skills needed to perform a particular job. Examples include schools of cosmetology, modeling academies, computer training facilities, vocational schools, administrative business training facilities and similar uses. Does not include outdoor training or driving facilities.
13. **General Service.** A category of uses that provides patrons services that occur indoors and limited retail products related to those services. Visibility and accessibility are important to these uses; walk-in customers and by-appointment clients are typically both accommodated. Includes such uses as, but not limited to, barber and beauty shops, spa facilities, tailors, consumer goods repair. Does not include Animal Service.
 - a. **Animal Service.** A use that provides patrons animal care services and limited retail products related to those services, such as pet grooming services, veterinary services. Outdoor kenneling not permitted.
14. **Entertainment.**
 - a. **Indoor.** An commercial indoor facility for gathering events for entertainment such as, but not limited to, movie theaters and indoor skating rinks.
 - b. **Outdoor.** A large, outdoor facility for entertainment events and businesses, such as, but not limited to, putt-putt golf, driving ranges, batting cages, go-carts, swimming pools.
15. **Financial Services.** Chartered financial depository institutions, including such uses as banks, savings and loans. Does not include personal credit establishments. Drive-through facilities not permitted.
 - a. **Personal Credit Establishments.** An establishment primarily engaged in the business of lending money on the security of pledged goods, left in pawn, on the condition that it may be redeemed or repurchased by the seller; of purchasing tangible personal property left in pawn; or of providing cash to patrons for payroll, personal, and bank checks.
16. **Hotel.** A facility offering short-term, temporary lodging to the general public with daily room cleaning services, and consisting of an unlimited number of sleeping rooms with or without in-room kitchen facilities. Secondary service uses may also be provided, such as restaurants and meeting rooms. The following use-specific standards apply:
 - a. Temporary lodging is permitted for up to 30 days within a 6 month period.
 - b. Rooms shall be accessed from the interior of the building.
 - c. Exterior stairs to upper stories are not permitted on any street facade.
17. **Personal Storage Facility.** An enclosed use that provides separate, small-scale, self-service storage facilities leased or rented to individuals or small businesses. Facilities are designed and used to accommodate interior access only to storage lockers. No drive-up access from passenger vehicles is permitted.
18. **Retail Sales.** A category of uses involving the sale of goods or merchandise to the general public for personal or household consumption.
 - a. **Artisan Studio/Retail.** A use involving the creation of art works, custom goods, or small-scale production, assembly, and/or repair through the use of hand tools and small-scale equipment with little to no noxious by-products. Use must include a showroom or small retail outlet selling art and/or goods produced. Includes such uses as craft brewery, craft distillery, furniture shop, glass blowers, jewelers, pottery and ceramic sales, upholsterers, woodworking shop. The following use-specific standards apply:
 - (1) The maximum overall gross floor area is limited to 10,000 square feet, unless otherwise noted.
 - (2) A showroom, taproom, tasting room, or retail outlet shall be located in the front of the building and shall occupy a minimum of 25% of the gross floor area. The space shall be generally opened to the public during regular shopping hours and shall sell the products produced on-site.
 - (3) This use may also include associated facilities such as offices and small scale warehousing, but distribution is limited to no more than 2 vans or small trucks. Distribution access shall be from the rear.

Specific Use Definitions & Standards.

- b. **General Retail.** Uses involving the sale of goods to the consumer in a store open regular business hours, including such uses as apparel stores, convenience stores, drug stores, grocery and specialty food stores, wine or liquor stores, gift shops, florists, department stores, appliance stores, electronics stores, bike shops, book stores, stationery stores, art galleries, hobby shops, furniture stores, pet stores, antique shops, music stores, toy stores, sporting goods stores, variety stores, medical supplies, office supplies.
- c. **Large-Scale Retail.** Uses involving the sale of goods to the consumer in a warehouse or larger-scale store open regular business hours. Outdoor storage of goods is not allowed. Includes such uses as lumber stores, home improvement stores, furniture warehouse stores, recreational equipment stores (i.e. trampolines, play equipment).
- 19. **Studios or Instructional Service.** Uses in an enclosed building that focus on providing individual or small group instruction or training in fine arts, music, dance, drama, fitness, language or similar activities. Includes dance studios, ballet academies, yoga studios, martial arts instruction, tutoring, artist studios and photography studios.
- 20. **Limited Industrial.** Uses that process, fabricate, assemble, treat, or package finished parts of products without the use of explosive or petroleum products. Common examples include apparel manufacturing, bakery products, bottling plants, ice manufacturing, mattress manufacturing and assembly, microbreweries, micro distilleries, musical instrument manufacturing, printing and binderies. Additional use requirements are as follows:
 - a. The use is limited to no more than 12,000 square feet of gross floor area;
 - b. All activities must occur within an enclosed building;
 - c. Hours of operation are limited to 7:30am until 8:00pm, Monday through Saturday;
 - d. Distribution is limited to no more than 2 Class 6 or smaller trucks;
 - e. Warehousing is limited to products produced or assembled on-site; and
 - f. The use does not produce odors, dust, noise, vibration or other external impacts that are detectable beyond the property lines of the subject property.
- 21. **Parking Lot.** Surface or structured parking lots located on a lot as the principal use of the lot. In the SCMU district, parking structures within the buildings with other uses are regulated by the building type. Additional use requirements are as follows:
 - a. Location. Parking lots shall not be located on a primary street frontage.
 - b. Materials. Any portion of a parking structure fronting a non-primary street or visible from any street shall meet the materials and color requirements of general design requirements.
 - c. Ramps. Drive ramps sloped more than 1:20 shall not be located on a street facade.
 - d. Height. The height of the separate structure must be lower than any part of an abutting or adjacent principal structure by a minimum of 6 feet.
 - e. Re-Use. Consider providing horizontal floors at the floor-to-floor heights of one of the building types, to allow future conversion to another use.

Specific Use Definitions & Standards.

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70-5. GENERAL BUILDING DESIGN

A. APPLICABILITY

The following design requirements apply to all building types unless otherwise stated.

B. INTENT

The following specific intent statements apply to these design requirements in addition to the general intent stated in [Sec. 70-1.A](#).

1. **General.** The requirements of this [Sec. 70-5](#), in conjunction with the requirements of [Sec. 70-3](#) Building Types, are intended to improve the physical quality of buildings, improve the long-term value and durability of buildings, enhance the pedestrian experience, and protect or establish the character of the Town.
2. **Durable, High Quality.** The minimum design standards are intended to ensure use of well-tested, high quality, durable, weather-resistant, exterior grade, preferably natural materials on the majority of finished surfaces, while permitting a wider range of materials for details. High quality materials can improve the quality of buildings in that they weather well, have a lower failure rate, require a low level of maintenance, have a longer life cycle and sense of permanence, and maintain higher long term value.
3. **Simple, Well Organized Facades.** The design requirements are intended to promote

simpler, well organized facades that are easy to comprehend and have a clear hierarchy.

4. **Human-Scaled Building Units.** The design requirements are intended to yield building facade proportions that are comfortable to and in line with the scale of people. Additionally, a high level of detail relates facades to pedestrians and makes them more interesting and inviting.

C. MAJOR FACADE MATERIALS

A minimum of 65 percent of each street and non-street facade surface, not including window and door areas, shall be composed of major materials per [Table 70.5-B](#).

1. **Simplicity of Surface Materials.** A minimum of 60 percent of each building or a minimum of 60 percent of each 60-foot or wider facade division, not including window and door areas, shall be faced with a single major material. See [Figure 70.5.Q-1](#)
2. **Side and Rear Facades.** Permitted Major Materials shall continue around the corner of a building from the street facade onto the side or rear facade for no less than 30 feet along the side or rear facade. Refer to [Table 70.5-B](#).
3. **Other Materials.** A design waiver may be approved for materials not listed as permitted major materials, with the exception of those materials listed in [Table 70.5-E](#) as prohibited



Figure 70.5.Q-1. **Major and Minor Materials on a Facade**

70-5. General Building Design Applicability

TABLE 70.5-B. MAJOR AND MINOR MATERIALS: FACADES

MATERIAL (alphabetical)	MAJOR MATERIALS: STREET FACADE minimum 65% of facade NOTE: Street facade materials shall extend around corners per 70-4.C.2				MAJOR MATERIALS: NON-STREET FACADES minimum 65% of facade	MINOR FACADE MATERIALS maximum 35% of facade	
	STOREFRONT BUILDING	GENERAL-OFFICE, WORKSHOP BUILDING	GENERAL-RESIDENTIAL, ROW BUILDING	COMMERCIAL MANOR	ALL BUILDING TYPES	STOREFRONT, GENERAL, WORKSHOP BUILDING	ROW BUILDING, COMMERCIAL MANOR
A Brick un-glazed, full dimensional, unit, face brick	●	●	●	●	●	●	●
Brick economy size		●			●	●	
Brick thin, veneer							
B Concrete Masonry Units architectural, minimum 3" depth, "artisan stone" look, varied sizes, (Eschelon Masonry or approved equal)	●	●		●	●	●	●
C Concrete Masonry Units architectural, minimum 3" depth, "stone" face, "hewn stone", rock cut					●	Limited to basement facades and bottom half of ground story	
Concrete Masonry Units split-faced, burnished/ground face, glazed, or honed, minimum 3" depth					●	●	●
Concrete Surfaces unfinished							
Concrete Surfaces finished, stained, painted, treated						●	
D Fiber Cement Board, Composite finished panels					●	●	●
E Fiber Cement Board finished lap siding or shingles			● only on Row building	●	●	●	●
F Glass curtain wall system						●	●
G Metal architectural panel system						●	
Metal, Corten panels or panel systems, not ribbed or corrugated						●	
Metal, Composite aluminum composite materials (ACM) or panels (ACP)						●	
Stone natural, units	●	●	●	●	●	●	●
H Stucco cement-based, 2- 3 layer hard coat					●	●	●
Stucco synthetic or with elastomeric finishes						Limited to 3rd or higher stories only.	
Terra Cotta or Ceramic tiles or panels						●	●

Division 70: South Clarksville Mixed-Use District

70-5. General Building Design

TABLE 70.5-B. MAJOR AND MINOR MATERIALS: FACADES

	MAJOR MATERIALS: STREET FACADE minimum 65% of facade NOTE: Street facade materials shall extend around corners per 70-4.C.2				MAJOR MATERIALS: NON-STREET FACADES minimum 65% of facade	MINOR FACADE MATERIALS maximum 35% of facade	
MATERIAL (alphabetical)	STOREFRONT BUILDING	GENERAL-OFFICE, WORKSHOP BUILDING	GENERAL-RESIDENTIAL, ROW BUILDING	COMMERCIAL MANOR	ALL BUILDING TYPES	STOREFRONT, GENERAL, WORKSHOP BUILDING	ROW BUILDING, COMMERCIAL MANOR
I Wood natural, aged lap siding, shingles, rainscreen system						●	●
Wood painted, stained, or treated siding, shingles, rainscreen system						●	●
J Wood, Composite rainscreen system					●	●	●

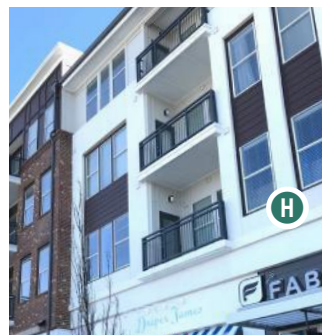
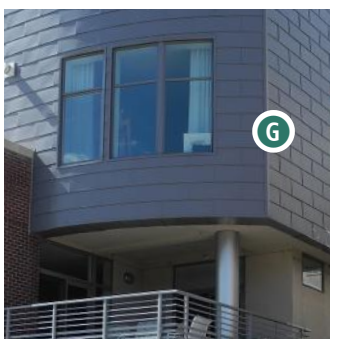
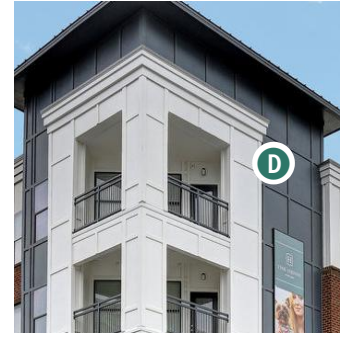
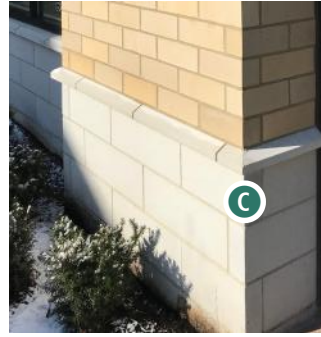
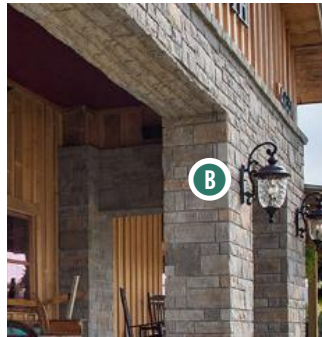


Figure 70.5.Q-3. Allowed Facade Materials

Division 70: South Clarksville Mixed-Use District

70-5. General Building Design

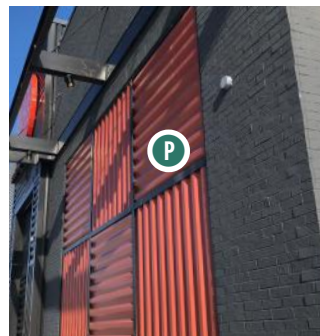
TABLE 70.5-D. ALLOWED DETAIL & ACCENT MATERIALS (all facades)

All permitted major and minor facade materials may be used for details, trim, and accents.

K	Concrete Details precast stone ornamentation, lintels, sills, banding, columns, beams
	Fiber Cement Details trim, soffits
L	Metal Details trim, ornamentation, lintels, beams, columns
	Wood and Wood Composite Details painted/treated trim, soffits, other approved details
M	Vinyl Details limited to soffits, window trim; minimum .04 inches thick

TABLE 70.5-E. PROHIBITED MATERIALS

N	Concrete, Unfinished untreated, unstained, unpainted
	Fiberglass and Acrylic Panels all
O	Glass Block
P	Metal Panels corrugated or ribbed panels
Q	Plastic Panels all, including high-density polyethylene and polycarbonate panels
R	Stucco Mouldings or Synthetic Stucco Mouldings trim, sills, cornices, banding, columns, pilasters or other 3 dimensional details
	Vinyl Siding all vinyl except detail materials noted in Table 70.5-D
	Wood Unfinished, untreated plywood and wood panels



materials. Refer to [Sec. 70-1.G](#) for the design waiver process.

4. **Color.** The paint or finish colors of any major materials requiring an applied finish shall be from an historic palette from any major paint manufacturer. Other colors may be utilized for details and accent materials.

D. MINOR FACADE MATERIALS

1. **Maximum Minor Materials for Surface Areas.** A maximum of 35 percent of each facade surface, not including window and door areas, may be composed of minor facade materials per [Table 70.5-B](#).
2. **Accents and Details.** Additional materials are permitted for trim, accents, and details per [Table 70.5-D](#), not included in the maximum surface area.
3. **Other Materials.** A design waiver may be approved for materials not listed as permitted minor materials or accent and detail materials, with the exception of those materials listed in

[Figure 70.5.Q-14](#) as prohibited materials. Refer to [Sec. 70-1.G](#) for the design waiver process.

E. PITCHED ROOF MATERIALS

Allowed pitched roof materials include dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. Engineered wood or slate may be approved through the design waiver process with an approved sample and documented examples of successful, high quality installations within 100 miles of the site.

F. MATERIALS INSTALLATION QUALITY

1. **Intent.** The intent of the materials installation quality requirements is to advance the quality of construction, durability, and aesthetics of new buildings, specifically related to application and detailing of facade materials.
2. **Changes in Material.** Changes in vertical surface materials for buildings shall meet the following standards:
 - a. **Changes in Surface Materials.** Changes in surface materials, whether major materials or minor materials, shall occur only at concave corners, minimum 12" deep. Surface materials are materials intended to cover the facade surface (such as unit materials, siding, stucco, panels) and do not include detail materials, such as but not limited to cast stone for lintels or cornices, exposed metal beams, or any material used to create a shadow line. See [Figure 70.5.Q-6](#).
 - b. **Materials Hierarchy.** Unit materials shall be elevated from the face of the building above less detailed, surface materials. For example, stucco, as a constant surface material, shall be recessed behind a bricked surface. See [Figure 70.5.Q-6](#) for an example, where Material A is brick, Material B metal panels, and Material C stucco.
3. **Shadow Lines on Surfaces.** Shadow lines shall be created at changes in materials with solid materials of a thickness that is greater than 2 inches, such as cast stone, masonry, or stone. For example, cast stone pieces may be offset to create a shadow, where the convex corner of the piece is used to create the corner of the detail.

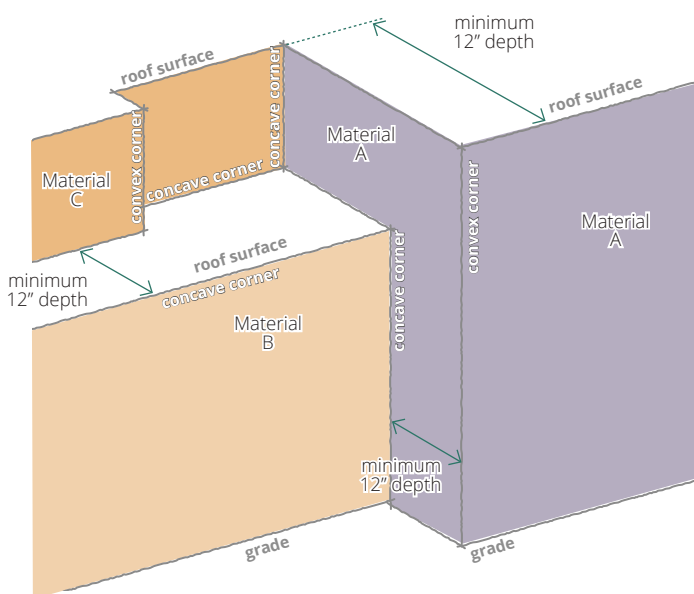


Figure 70.5.Q-6. **Diagram of Allowable Changes in Surface Materials**

70-5. General Building Design

Windows

4. **Appropriate Grade of Materials.** Except the Row building type, all doors, windows, and hardware shall be of commercial grade quality.
5. **Applique Materials.** Materials with thickness of less than 2.5 inches, including but not limited to stucco, shall not be used or formed to create shadow lines.
6. **Stucco Installation.** Any stucco construction shall be of the highest installation quality, meeting the following criteria:
 - a. **Jointing.** All stucco joints shall be aligned along the facade in the pattern shown on the elevations submitted for the site plan approval. Joints shall also align with the locations of windows and doors and other changes in material.
 - b. **Construction.** The stucco wall assembly shall be indicated on the plans specifying stucco type and construction.
7. **Waiver.** Modification to these material installation requirements may be approved through a design waiver.

G. WINDOWS

Windows on street and public way facades of all buildings shall be constructed consistent with the following requirements:

1. **Amount.** Each building shall meet the transparency requirements applicable to the building type. See [Sec. 70-3](#).
2. **Recessed.** All windows, with the exception of ground story storefront systems and glass curtain wall systems, shall be recessed with the glass a minimum of 2 inches back, measured from the facade surface material or adjacent trim.
3. **Vertically Oriented.** All windows shall be vertically oriented unless the following standards are met:
 - a. **Flat Cap Type.** When the flat cap type is used, horizontally oriented windows may be used for up to 30 percent of the total transparency area of each upper story.
4. **Visibility Through Glass.** Reflective glass and glass block are prohibited on street and public way facades. Windows shall meet the transmittance



Figure 70.5.Q-7. **Vertically Oriented Windows with Expressed Lintels**



Inappropriately Scaled Shutters: **Not Permitted**



Image: North Knox Windows

Appropriately Scaled Shutters: **Permitted**
Figure 70.5.Q-8. **Examples of Shutters**

and reflectance factors established in the transparency definition (see [Sec. 70-7](#)).

5. **Expressed Lintels.** For masonry construction, the expression of lintels shall be included above all windows and doors by a change in brick coursing or by a separate detail or element. See [Figure 70.5.Q-7](#) for illustrations of expressed lintels.

H. SHUTTERS

When shutters, whether functional or not, are utilized on a street or public way facade of any building type, the shutters shall meet the following requirements. See [Figure 70.5.Q-8](#) for examples of shutters.

1. **Size.** All shutters shall be sized for the windows, so that, if the shutters were to be closed, they would not be too small for complete coverage of the window.
2. **Materials.** Shutters shall be wood, metal, or fiber cement. Other synthetic and engineered woods may be approved through a design waiver provided that the applicant submits a sample and examples of high quality, local installations of the material, located within 100 miles of the site.

I. AWNINGS, CANOPIES, & LIGHT SHELVES

Awnings, canopies, and light shelves on all buildings shall be constructed consistent with the requirements of this subsection. See [Figure 70.5.Q-9](#) for examples of awnings.

1. **Encroachment.** Awnings, canopies, and light shelves shall not extend into a Town right-of-way or easement except as otherwise approved by an encroachment permit.
2. **Attached Awnings & Canopies.** Awnings and canopies that are attached to the building and could be removed shall meet the following standards:
 - a. **Material.** All awnings and canopies shall be canvas or metal. Plastic awnings are prohibited. Other materials may be approved with a design waiver.
 - b. **Shapes.** Waterfall or convex, dome, and elongated dome awnings are permitted only with an approved design waiver per [Sec. 70-1.G](#).
 - c. **Lighting.** Backlit awnings are prohibited.
 - d. **Structures.** Frames shall be metal and shall be wall mounted. Support poles from the ground



Metal Awning



Canvas Awning

Figure 70.5.Q-9. **Examples of Awnings**

70-5. General Building Design

Balconies

are prohibited unless the awning is over 8 feet in depth and utilized for outdoor eating areas or entrances.

- e. Multiple Awnings on the Facade. When more than one awning is mounted on a facade, the awning types and colors shall be coordinated.
3. **Canopies & Light Shelves.** Permanent canopies, projections, or overhangs used as architectural features, light shelves, or shading devices are permitted.
4. **Clearance.** All portions of any awning, canopy, or light shelf shall provide at least 8 feet of clearance over any walkway and 15 feet of clearance over vehicular areas.
5. **Signage.** Refer to [Sec. 200](#) for signs on awnings and canopies.

J. BALCONIES

Balconies on a facade facing any street, courtyard, open space, or public way shall be consistent with the requirements of this subsection. See [Figure 70.5.Q-10](#) for examples of balconies.

1. **Definition.** For the purpose of this subsection, balconies shall include any roofed or un-roofed platform that projects from the wall of a building above grade that is enclosed only by a parapet or railing. This definition does not include false balconies, Juliet balconies, or balconettes.
2. **Balconettes.** Sometimes referred to as Juliet balconies, balconettes are false balconies consisting of a rail and door, either without an outdoor platform or with an outdoor platform less than 18 inches in depth. Balconettes are permitted and do not count towards the maximum permitted amount of balcony on a street facade.
3. **Size.** Balconies shall be a minimum of 4 feet deep and 5 feet wide.
4. **Integrated Design.** Balconies are intended to be integrated with the design of the facade, avoiding tacking the balconies onto the facade after the elevation has been designed.
 - a. A minimum of 50 percent of the perimeter of each balcony shall abut an exterior wall of the building, partially enclosing the balcony.
 - b. The balcony support structure shall be integrated with the building facade; separate



Figure 70.5.Q-10. Examples of Balconies

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Principal Entryway

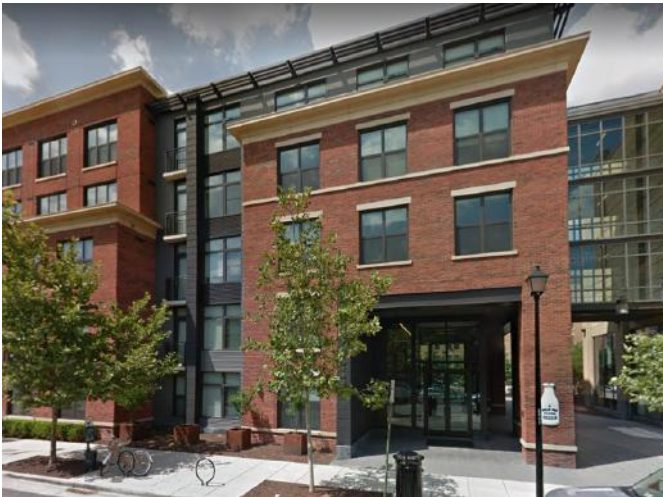


Figure 70.5.Q-11. **Examples of Defined Principal Entryways**

columns or posts supporting any balcony from the ground are prohibited.

5. **Platform.** The balcony platform shall be at least 3 inches thick and any underside of a balcony that is visible from any public way shall be finished.
6. **Facade Coverage.** A maximum of 35 percent of the public way frontage facades, calculated separately for each facade, may be covered by balconies. The balcony area is calculated by drawing a rectangle around the following: the platform or floor of the balcony; any rails, walls, columns or indentations; and any ceiling, roof, or upper balcony.
7. **Build-to Zone Requirement.** The portion of the facade occupied by an upper story balcony is exempt from meeting the build-to zone requirement.
8. **Right-of-Way.** Balconies shall not extend into any right-of-way or easements except as otherwise approved by the Town.
9. **Waiver.** A design waiver may be submitted for an alternate balcony design per [Sec. 70-1.G](#).

K. PRINCIPAL ENTRYWAY

See [Figure 70.5.Q-11](#) for examples of defined principal entryways. Principal entrances to all buildings or units shall be clearly delineated through one or more of the following design features:

1. **Roof or Canopy.** The entryway is covered by a roof or canopy differentiating it from the overall building roof type.
2. **Porch.** The entryway is through a porch.
3. **Sidelights and Transom.** Sidelights or transom windows are included around the entryway.
4. **Extended Articulation.** The entryway is included in a separate bay of the building that extends up at least 2 stories.
5. **Other Design.** A design that does not meet the above standards may be approved with a design waiver ([Sec. 70-1.G](#)) if it is determined that the

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Building Articulation

design adds emphasis and draws attention to the entryway.

L. BUILDING ARTICULATION

The following applies to all building types. See [Figure 70.5.Q-13](#) for examples of building facade variety and articulation of stories.

1. **Building Facade Variety.** Buildings 120 feet in length or greater, as measured along any street or public way frontage shall fulfill the following requirements:
 - a. Increments. Each public way facade shall be varied in segments less than or equal to 90 feet.
 - b. Requirements. Each facade segment shall vary by at least 3 of the following:
 - (a) The type of dominant material or by color, scale, or orientation of that material;
 - (b) The proportion of recesses and projections within the build-to zone;
 - (c) The location of the entrance and window placement, unless storefronts are utilized;
 - (d) Roof type, plane, or material, unless otherwise stated in the building type requirements;
 - (e) Building heights.
2. **Articulation of Stories.** Stories shall be articulated on street and public way facing facades.
 - a. Fenestration. Fenestration or window placement on street facades shall be organized by stories.
 - b. Shadow Lines. Horizontal shadow lines and lintels over openings may be used to delineate stories with minimum shadow lines required per building type.
 - c. Mezzanines. Mezzanines that fall within the range of floor to floor heights of the building type shall be articulated on the facade and require separate calculation for transparency per [Sec. 70-7.7](#). Tall Stories.
 - d. Taller Spaces. Spaces exceeding the allowable floor to floor heights of the building type shall



Figure 70.5.Q-13. **Examples of Building Facade Variety and Articulation of Stories**

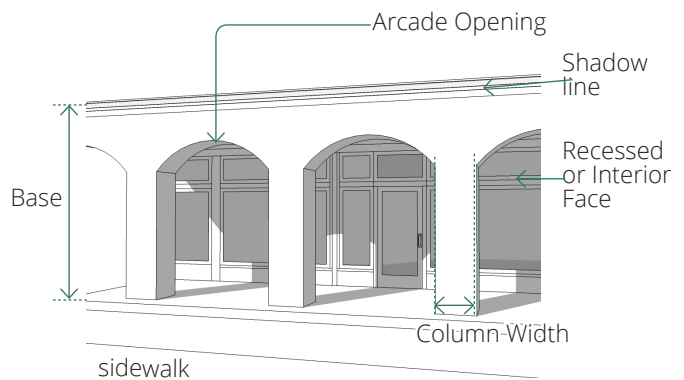


Figure 70.5.Q-12. **Illustration of Arcade**

be articulated as multiple stories on the street facade.

M. ARCADE DESIGN

See [Figure 70.5.Q-12](#) for an illustration of an arcade. The following requirements apply to arcades. An arcade is a covered pedestrian walkway within the recess of a ground story.

1. **Depth.** An open-air public walkway shall be recessed from the principal facade of the building a minimum of 8 feet and a maximum of 15 feet.
2. **Build-to Zone.** When the arcade is utilized, the outside face of the arcade shall be considered the front facade, located within the required build-to zone.

3. **Column Spacing.** Columns shall be spaced between 10 feet and 12 feet on center.
4. **Column Width.** Columns shall be a minimum of 1 foot 8 inches and a maximum 2 foot 4 inches in width.
5. **Arcade Openings.** Openings shall not be flush with interior arcade ceiling and may be arched or straight.
6. **Horizontal Facade Division.** A horizontal shadow line shall define the ground story facade from the upper stories.
7. **Visible Basement.** A visible basement is not permitted.
8. **Waiver.** A design waiver may be submitted for approval of an alternate arcade design.

N. VISTAS

Views down streets shall be considered when laying out streets and locating open space, parking, and buildings.

1. **Rears of Buildings.** The location of open space and streets shall not create views of the rear of buildings or parking behind buildings.
2. **Parking.** Parking structures and surface parking lots are not permitted at the termination of a street vista.
3. **Street Termini.** When a street terminates at a parcel, the parcel shall be occupied by one of the following:



Figure 70.5.Q-14. **Example of Terminated Views at buildings and civic open space.**

- a. **Open Space.** If the parcel is open space, any open space type shall be utilized and a vertical element shall terminate the view. Acceptable vertical elements include, but are not limited to, a stand or group of trees, a sculpture, a gazebo or other public structure, or a fountain.
- b. **Building.** If the parcel is not utilized as an open space, the facade of a building, whether fronting a primary street or not, shall terminate the view. The building shall incorporate one of the following treatments to terminate the view: a tower, a bay, or a courtyard.

O. GARAGE DOORS

The following requirements apply to garage doors provided on any street facade.

1. **Location.**
 - a. **Primary Frontages.** Except on the Workshop building type, garage doors are permitted on primary street facades only when utilized for patio access, open air dining, or display and not utilized for vehicular access.
 - b. **Non-Primary Frontages.** Garage doors may be permitted on non-primary street facades with direct access to the street where permitted by building type.
 - c. **Interior Lot Facades.** The preferred location is on interior lot facades.
 - d. **Workshop Building.** Location of garage doors on the primary facade of a workshop building is defined in the building type regulations ([Sec. 70-3.G](#)).
2. **Recessed from Facades.** Garage doors located on street-facing facades shall be recessed a minimum of 3 feet from the dominant facade of the principal building facing the same street.
3. **Design.**
 - a. Garage doors facing a non-primary street and intended to be closed during business hours shall be clad with materials consistent with the design of the building.
 - b. On the Workshop building type, garage doors on primary frontage facades shall be a minimum of 50 percent glass.

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Ground Story at Sloping Facades

- c. Carriage-style windows in the door or upgraded architectural doors are required on the Row building type.

P. GROUND STORY AT SLOPING FACADES

See [Figure 70.5.Q-15](#) for examples of ground story treatments.

1. **Storefronts.** The following regulations apply to storefront facades along sloping streets:
 - a. Grade transitions on the building along the sidewalk should be designed to maximize active pedestrian-scale frontages between waist and eye level while minimizing blank walls.
 - b. The interior floor level shall step to match the exterior grade within 3 feet. With approval of a design waiver, changes in grade may be accommodated by a storefront window display space.
 - c. Knee wall and retaining walls shall not exceed 30 inches in height except along a maximum 15 foot section of facade length.
 - d. If grade change is more than 9 feet along a single block face, entrance requirements may be increased to one entrance per 90 feet of building frontage.
 - e. If grade change is more than 9 feet along a single block face, building entrances adjacent to the street shall be within 3 feet of the elevation of the adjacent sidewalk.
2. **Non-Storefronts.** The following regulations apply to all non-storefront facades along sloping streets:
 - a. Grade transitions at the building along the sidewalk shall be designed to minimize blank walls. Multiple front entrances along the street activate each segment of building section at each grade.
 - b. The interior floor level shall step to match the changes in exterior grade within a 3-foot range. With a design waiver approval, deeper transition zones between the sidewalk and building facade of porches, terraces, and landscape areas may be used assist with grade changes.
 - c. Changes can be accommodated by terraced planters and retaining walls. Retaining walls



Figure 70.5.Q-15. **Examples of Ground Story Elevations along Slopes**

70-5.General Building Design Mechanical Equipment & Appurtenances

shall not exceed 30 inches in height except along a maximum 15-foot section of frontage.

- d. When the elevation of the first floor is more than 3 feet above grade, windows should be provided into the basement or lower floor elevations

Q. MECHANICAL EQUIPMENT & APPURTENANCES

1. **Intent.** Mechanical equipment and appurtenances can have a negative visual impact and detract from the quality of the design of a building. The purpose of the standards of this section is to ensure that the visual impact of mechanical equipment and appurtenances is minimized.
2. **Mechanical Equipment in Building.** Mechanical equipment shall be located within the building, unless the applicant demonstrates the equipment is necessary for the function of the building and locating the equipment within the building would conflict with the equipment's function.
3. **Rooftop Mechanical Equipment.** Any rooftop mechanical equipment, such as but not limited to vents, ducts, condensers, and ventilators, and not including solar panels, shall be located consistent with one of the following methods:
 - a. Incorporate equipment into the roof design consistent with the applicable standards of [Sec. 70-3.I. Cap Types](#).
 - b. Set the equipment back a minimum of 20 feet from any street or public way facade.
 - c. To the extent practicable, all rooftop mechanical shall be painted to blend with the structural roof and limit its visibility.
 - d. Rooftop mechanical equipment visible from adjacent highways shall be screened with materials consistent with the building design.
 - e. Solar panels are permitted, subject to Division 157.
4. **Mechanical Equipment and Utility Appurtenances on Facades.** Mechanical equipment and utility appurtenances shall not be located on a facade unless the applicant demonstrates that locating the equipment in a different location would conflict with the equipment's function. Any equipment or appurtenance approved on a facade, such as but not limited to dryer vents, gas meters, and air conditioners, shall be located consistent with the following standards:
 - a. **Facade.** The mechanical equipment may be located on a primary facade only if the following requirements are met:
 - (1) The equipment is located on a surface perpendicular to any right-of-way;
 - (2) The equipment extends from the facade surface no more than 3 inches; and
 - (3) The equipment is screened from the sidewalk.
 - b. **Alignment.** Multiple pieces of mechanical equipment shall be organized on the facade in a regular pattern and aligned. Compliance with this standard must be illustrated on the drawing elevations submitted as part of the application.
 - c. **Material Coordination.** To the extent practicable, facade-mounted mechanical appurtenances shall be located on a material that limits their visibility. For example, dark colored vents will be more visible on light colored stucco than a textured, darker surface such as brick.
5. **Mechanical Equipment and Utility Appurtenances on Other Horizontal Surfaces.** Mechanical equipment located on the ground, decks, or horizontal surfaces other than the roof, such as but not limited to electrical equipment and air conditioners, shall be located consistent with the following standards:
 - a. **No Encroachment.** Mechanical equipment shall not extend into any town right-of-way or easement.
 - b. **Yard Location.**
 - (1) No mechanical equipment shall be located in the front yard.
 - (2) Mechanical equipment may be located in a side yard provided the side yard does not contain or abut a public way or open space.
 - c. **Screening from streets and civic spaces.**

70-5. General Building Design

Mechanical Equipment & Appurtenances



Figure 70.5.Q-18. **Rooftop Utilities Screened from the Public Way by a Parapet**

Utility vents aligned and colored to match facade surface



Utility vents colored to match facade surface

Hotel room vents organized and integrated into the facade design



Figure 70.5.Q-16. **Utility Appurtenances located on Facades**

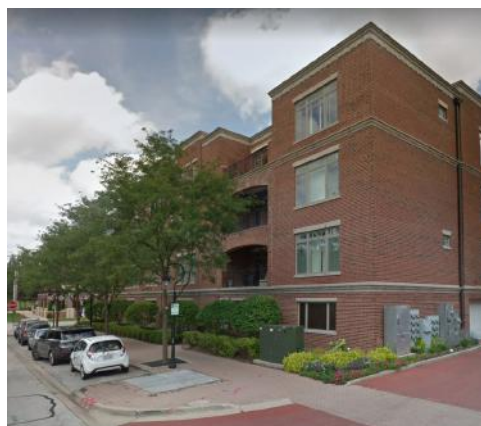


Figure 70.5.Q-17. **Examples of Poorly Located Utility Appurtenances without Screening on Primary Streets: NOT PERMITTED**

- (1) All equipment shall be screened from view from any streets, open space, or civic space with landscaping, fencing, or walls consistent with the building design, colors, and materials.
 - (2) Where landscaping only is employed, a single row of evergreen shrubs shall fully screen the equipment within 1 year of installation. The planning director may require additional landscape materials. Refer to [Sec. 70-3.D](#) for landscape requirements.
 - (3) Where landscaping is employed, the utility shall be located in a larger landscape area and the landscape screen shall be designed as part of the bed design.
- d. The planning director may approve appurtenances located on a primary street only if the following conditions are met:
- (1) The applicant demonstrates that the equipment cannot be located in a rear yard, non-primary street yard, or in a side yard.
 - (2) No utility cabinets, boxes, or other appurtenances are within 200 feet along the same side of the street as the proposed utility appurtenance.
 - (3) The appurtenance is fully screened in a manner that is consistent with the building design, colors, and materials and of a height that is the minimum to adequately screen the appurtenance and that does not prevent the facade from fulfilling any transparency requirements. See [Figure 70.5.Q-17](#) for examples of poorly located, unscreened equipment on primary streets.
 - (4) The appurtenance is located a minimum of 35 feet from a street intersection, measured from the intersection of the curb line, and does not impact the sight vision clearance at intersections.

70-6. General Site Design

Signs

70-6. GENERAL SITE DESIGN

A. SIGNS

Refer to Division 200 for general sign regulations and regulations specific to SCMU districts.

B. LIGHTING

The lighting regulations of Division 190 apply to all SCMU district developments.

C. STREETScape

For all developments in SCMU district, the following streetscape is required to be installed by the applicant, unless otherwise determined by the planning director.

1. **Streetscape Location.** Streetscape occupies the full pedestrian area of any street right-of-way (back of curb to the property line) and the front yard of all developments as defined by the type of development in [Sec. 70-6.B.2](#) and [Sec. 70-6.B.3](#), below.
2. **Non-Storefront Developments.** For all residential and office developments without storefronts, the following minimum landscape is required on all street frontages.
 - a. **Parkway Planting.** The parkway area between the back of curb and the sidewalk shall be planted with street trees and ground plane vegetation per [Sec. 70-6.D](#).
 - (1) Stormwater accommodations and lighting may be located in the parkway area.
 - b. **Street Yards.** The front and corner side yard areas shall be planted with a minimum of 40 percent planting bed. The remaining area may be grass or patio area.
3. **Storefront Developments.** For all developments with Storefront building types, the following streetscape and landscape is required along all street frontages.
 - a. **Streetscape Required.** The entire area from building face to back of curb shall be designed as a combination of hardscape, tree wells, and/or planters.
 - b. **Standard Specifications.** Streetscape shall meet any standards defined by the town for sidewalk, curb, access, and parkway construction, unless otherwise stated. The planning director, at his/her discretion, may request additional requirements or waive any requirements.
4. **Streetscape Design Submittal.** A consistent streetscape design shall be submitted for approval with district development approval for all new streets within the development and any existing streets adjacent to the development. At a minimum, the streetscape design submittal shall include the following:
 - a. **Street Trees.** Shade trees meeting the minimum requirements of [Sec. 180-60](#) and [Table 180-4](#) shall be included in the streetscape design with details related to tree pits, tree wells, tree accessories (grates, guards), and tree planting.
 - b. **Pavement Design.** Paving materials and pattern is required for each street. Pavement design shall include the minimum sidewalk widths required by the town (refer to [Sec. 70-2.E](#) for minimum street sections) and any extension of the sidewalk to the back of curb and/or included on the private lot.
 - c. **Street Furnishings.** For developments occupying 300 feet or more of street frontage, street furnishings including such items as benches, seatwalls, planters, planter fences, tree grates, tree guards, and trash receptacles shall be specified and quantities and locations listed for each street. For each 300 linear feet of block face, a minimum of two benches and one trash receptacle is required.
 - d. **Bicycle Racks.** Bicycle racks shall be supplied to meet the minimum bicycle parking requirements of the blockface uses per [Sec. 70-6.F](#) for required bicycle parking spaces. If rear bicycle parking is utilized, a minimum of 50% of the required ground floor use bicycle parking shall be supplied within the streetscape, coordinated with the planning director.
 - e. **Landscape Design.** Ground plane vegetation per [Sec. 70-6.D](#) shall be designated for any landscape bed areas, planter areas, and open tree wells.
 - f. **Lighting.** Pedestrian and vehicular lighting shall be specified and locations and quantities noted. All lighting shall meet any requirements of the Town. Cut sheets and samples shall



Figure 70.6.F-1. **Examples of Streetscape Elements: Street trees, planters, paving, benches, lighting, trash receptacles.**

70-6. General Site Design

Landscape Requirements

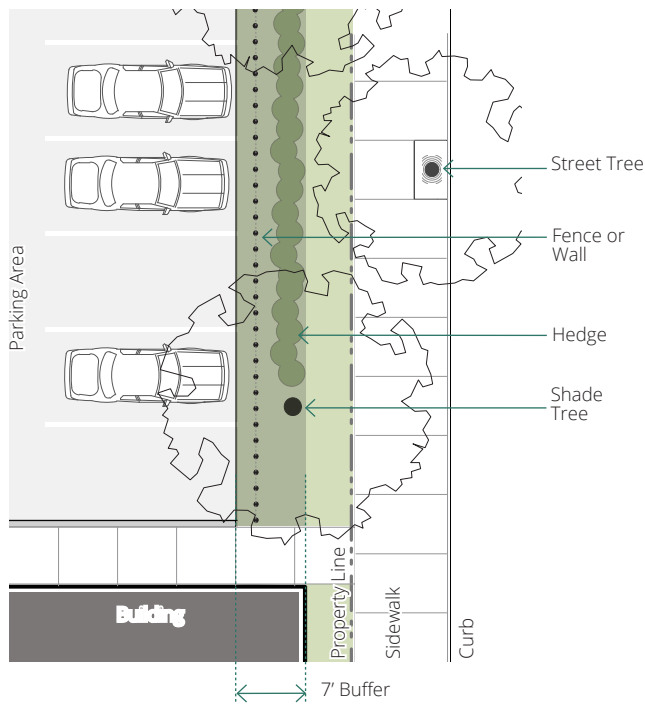
be submitted upon request of the planning director.

- g. **Minor Waiver.** Any of these streetscape requirements may be waived by the planning director when the Town is installing similar components.
5. **Streetscape Extension.** The approved streetscape design for each street may be utilized by the town for the extension of any street outside the development to provide continuity, where appropriate.

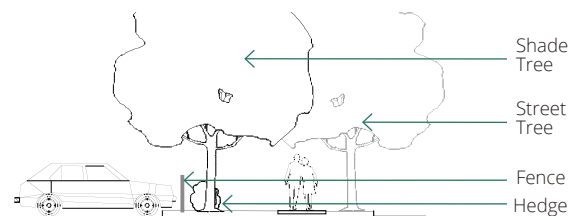
D. LANDSCAPE REQUIREMENTS

The landscaping regulations in Division 180 apply to the SCMU district, except as modified in the following.

1. **Landscape Buffers.** Landscape buffers as defined in Sec. 180-30 and 180-120 are not required.



Front Buffer Plan



Front Buffer Section

Figure 70.6-F-2. **Frontage Buffer.**

2. **Parking Area Landscaping.** Parking area landscape is required as defined in Sec. 180-130.
3. **Ground Plane Vegetation Requirements.** On-site landscaping requirements in Sec. 180-110.B are not required. All unpaved areas on the lot shall be covered by one of the following.
 - a. **Planting Bed.** Planting beds shall include shrubs, ornamental grasses, ground cover, vines, or perennials. A minimum of 60 percent of the bed area shall be covered in plant material. The remaining portion of the bed shall be covered with non-living permeable

TABLE 70.6-C. FRONTAGE BUFFER REQUIREMENTS

A. BUFFER DEPTH & LOCATION

DEPTH	Minimum 7' from street facing property line for parking areas or minimum 7' from the sidewalk for other uses covered by this section.
DRIVEWAYS/WALKWAYS	This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.

B. BUFFER LANDSCAPE REQUIREMENTS

USES & MATERIALS	Uses and materials other than those indicated are prohibited in the buffer
TREES	Large trees per Table 180-4 required at least every 40', located on the street side of the fence. Spacing should alternate required or existing street trees.
HEDGE	Required continuous hedge (List D or E) on street side of fence, between shade trees & in front of vehicular areas
HEDGE COMPOSITION	Individual shrubs with a minimum width of 24", spaced no more than 36" on center, height maintained no more than 48".
EXISTING VEGETATION	May be credited toward buffer area per planning director

C. FENCE

LOCATION	2' from back of curb of vehicular area for parking areas or 3' from hedge trunk for other uses covered by this section.
MATERIALS	Black, gray, or dark green steel; stone; or masonry; or combination steel with masonry columns (maximum width 2'6") and/or base (maximum 18" height) permitted
MINIMUM HEIGHT	3'
MAXIMUM HEIGHT	3.5'
GATE/OPENING	One gate permitted per street frontage; opening width maximum 6'

70-6. General Site Design

Screening of Refuse & Recycling Areas

materials, such as naturally colored mulch or landscape aggregate. Non-combustible mulch is required within 10 feet of an entrance. Refer to Table 180-5 and Table 180-6 for recommended plants.

- b. **Grass.** Seeded, plugged, or sodded grass shall be established within 90 days of planting or the area must be reseeded, replugged, or resodded.
4. **Frontage Buffer.** In lieu of the Road Frontage Standards defined in Sec. 180-110.D, the frontage buffer is required in all locations where a vehicular area abuts the street right-of-way in the SCMU district. The frontage buffer is not required at alleys. Refer to [Table 70.6-C](#) and [Figure 70.6.F-2](#) for Frontage Buffer requirements.

E. SCREENING OF REFUSE & RECYCLING AREAS

The intent of the following regulations is to reduce the visibility of open storage, refuse areas, loading, and utility appurtenances from public areas and adjacent properties. See Figure 70.6.F-4. Screening of Refuse Area.

- a. **Applicability.** All dumpsters, loading areas, and other refuse/recycling areas in the SCMU district.
- b. **Location on Site.** In the SCMU district, the permitted yard location of refuse areas and loading are defined by building type in [Sec. 70-3](#). Refer to Division 165 for additional information. The requirements of this Division 70 supercede any similar requirements in Division 165.
- c. **Concrete Pad.** For all loading and refuse, a concrete pad is required.
- d. **Screen Wall.** A masonry screen wall is required per the following:
 - (1) **Material.** The wall shall be constructed of an allowed major or minor material per [Sec. 70-4.C](#) and [Sec. 70-4.D](#) used on the building. For walls not visible from any street or public way, a minor waiver may be approved for a different material.
 - (2) **Enclosed.** The wall shall enclose the area around at least 3 sides.
 - (3) **Height.** The height of the screen wall shall be tall enough to screen the use inside, and a minimum of 6 feet. The planning director

may request additional height as needed for complete screening.

- (4) **Openings.** Openings shall not be visible from any primary street. Openings visible from any non-primary street or any public area shall include steel gates with opaque screens.
- e. **Landscape.** If the area is located within a larger paved area, such as a parking lot, the following applies:
 - (1) **Landscape Area.** A landscape buffer at least 3 feet in depth shall be located along all 3 sides.
 - (2) **Shade Tree.** One shade tree shall be provided within the landscape buffer. The shade tree shall be located within a landscape area that provides at least 240 square feet of permeable surface.
 - (3) **Plantings.** Ornamental grasses, shrubs, or similar landscape material per the Town's Plant List D and/or E shall cover a minimum of 50% of the buffer area.

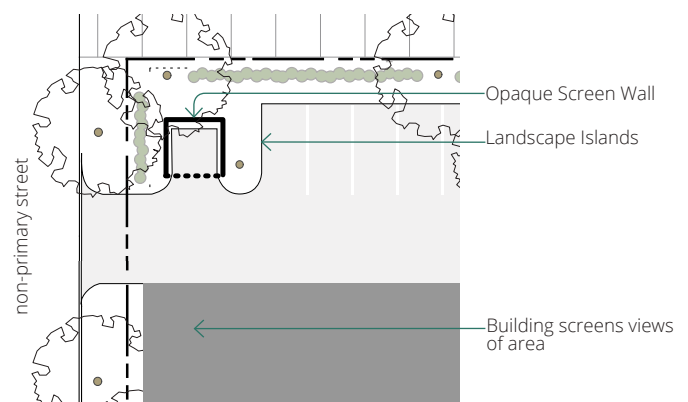


Figure 70.6.F-4. Screening of Refuse Area

70-6. General Site Design Parking

F. PARKING

Refer to Division 195 for off-street parking and loading requirements. The following additional parking regulations apply to the SCMU district and supercede any conflicting requirements in Division 195.

1. **Required Off-Street Parking Spaces.** Refer to [Table 70.6-E](#) for the minimum and maximum number of off-street spaces required per use in the SCMU district.
 - a. **Credits and Reductions.** Credits towards or reductions from the minimum required spaces may apply per this [Sec. 70-6.F](#). However, the total number of spaces provided, after any reductions, shall not be less than the required number of residential spaces plus 30 percent of the required number of non-residential spaces per [Table 70.6-E](#).
 - b. **Multiple Uses.** For developments with more than one use, uses are calculated separately, then totalled. Refer to [Sec. 70-6.F.5](#) for a multiple-use reduction.
 - c. **Calculations.** In determining the number of parking spaces required, the following applies:
 - (1) **Floor Area.** Parking requirements based upon floor area must be calculated on the basis of gross floor area, minus parking and loading areas and areas of a building occupied exclusively by mechanical equipment and service areas (e.g. dumpsters and recycling bins).
 - (2) **Spaces per Square Feet.** For the number of parking spaces required for uses subject to a minimum parking ratio of 1 space per "x" square feet, divide the floor area of the subject use by "x." If, for example, a minimum parking ratio of 1 spaces per 250 square feet is applied to a use occupying 2,400 square feet of floor area, the minimum parking requirement for that use would be calculated as follows: $(1,500 \text{ sq. ft.} \div 250) = 9.6$, which is rounded up to 10 spaces.
 - (3) **Occupancy-Based Ratios.** For the purpose of computing parking requirements based on staff, students, members, residents or occupants, calculations must be based on the average number of persons working on any single shift, the average enrollment or membership or the area's code-rated capacity, whichever is applicable.

- d. **Unlisted Uses.** The planning director is authorized to establish required minimum parking ratios for unlisted uses. Such ratios must be established on the basis of the following:
 - (1) The planning director may deem the requirements of a similar use applicable.
 - (2) The applicant may provide specific parking data relevant to their project. Parking data and studies provided by applicants must

TABLE 70.6-E. REQUIRED OFF-STREET MOTOR VEHICLE PARKING

Use	Minimum Number of Motor Vehicle Spaces
RESIDENTIAL	
Dwellings, less than 4 units	1.62 per unit
Multi-Unit Dwelling, 4+ Units	1.23 per unit
Dwelling, Group House	1 per 4 residents plus 1 per 2 staff members
CIVIC AND INSTITUTIONAL	
Assembly	1 per 265 s.f.
Higher Education Facility	1 per 3 students
Library, Museum, Cultural Institution	1 per 1,000 sf
Parks and Recreation	none
Police, Fire Station	none
School, Pre-Kinder to Intermediate	1 per 2 staff members plus 10 spaces
Utility Facility, Minor	1 per 2 staff members
RETAIL AND SERVICE	
Broadcast or Recording Studio	1 per 400 s.f.
General Service	1.6
Animal Service	1 per 625 s.f.
Child Care Center	1 per 1.38 staff
Eating and Drinking Establishments	1 per 150 s.f.
Entertainment	1 per 250 s.f.
Financial Services	1 per 400 s.f.
Hotel	1 per guest room
Retail Sales	1 per 400 s.f.
Studio or Instructional Service	1 per 200 s.f.
Surgery Center	5.67 per operating room
OFFICE AND CLASSROOM	
Office	1 per 330 s.f.
Research and Laboratories	1 per 400 s.f.
Trade School	1 per 3 students

include estimates of parking demand based on reliable data collected from comparable local uses or on external data from credible research organizations, such as the Urban Land Institute (ULI) and the Institute of Transportation Engineers (ITE). Comparability will be determined by density, scale, bulk, area, type of activity and location. Such parking studies must document the source of all data used to develop proposed requirements.

(3) Other information available to the planning director.

2. **Off-Site Parking Agreement.** An agreement providing for shared use of off-site parking spaces or parking for different buildings on different lots, executed by the parties involved, shall be reviewed and may be approved by the planning director during review of the development plan.

- a. Off-site cooperative parking allowance shall be permitted on the site only as long as the agreement remains in force.
- b. If the agreement is no longer in force, then parking must be provided as otherwise required in this section.

3. **Alternate Parking Ratios.** The motor vehicle parking ratios of this section are not intended to be a barrier to development. In order to allow for flexibility in addressing the actual expected parking demand of specific uses, alternatives to the motor vehicle parking requirements of this section may be approved through a design waiver, provided that:

- a. The motor vehicle parking ratios of [Table 70.6-E](#) do not accurately reflect the actual day-to-day parking demand that can reasonably be anticipated for the proposed use;
- b. The allowed parking credits and reduction alternatives of this section are infeasible or do not apply; and
- c. The reduced parking ratios proposed are not likely to cause adverse impacts on traffic safety or on the general welfare of property owners and residents in the area.

4. **On-Street Parking Credit.** Nonresidential uses may count on-street parking spaces on street rights-of-way abutting the subject property

towards satisfying off-street motor vehicle parking requirements.

- a. One on-street parking space credit may be taken for each 25 linear feet of abutting right-of-way where on-street parking is allowed.
- b. Only space on the same side of the street as the subject use may be counted.

5. **Multiple Use Reduction.** When two or more uses share a parking lot, a multiple use reduction may be approved in accordance with the following.

- a. The uses and the parking lot are under the same ownership or a shared parking agreement exists between multiple owners.
- b. The reduction in spaces shall not exceed the number of nonresidential spaces required. Residential spaces shall not be reduced.
- c. Uses shall be calculated as follows:
 - (1) For each applicable land use category, calculate the number of spaces required as if it were the only use.
 - (2) Use the figures for each individual land use to calculate the number of spaces required for that use for each hour of the day specified in the Institute of Transportation Engineers (ITE) most recent edition of "Parking Generation."
 - (3) For each hour of the day, add the number of spaces required for all applicable land uses to obtain a grand total for each of the time periods.
 - (4) Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site.

6. **Car-Share Service Credit.** A car-share service credit may apply when spaces are provided on-site for a car-share program per the following:

- a. The credit may apply to nonresidential uses that are required to provide 10 or more motor vehicle parking spaces and to residential uses that are required to provide 25 or more motor vehicle parking spaces.
- b. The number of required motor vehicle parking spaces is reduced by 4 spaces for each parking space that is leased by a town-approved car-share program for use by a car-share vehicle.

70-6. General Site Design Parking

- c. The car-share vehicles must be available to all building occupants.
7. **Motorcycle and Scooter Parking.** In parking lots containing more than 10 motor vehicle parking spaces where at least 4 motorcycle and scooter spaces are provided, up to 2 motor vehicle spaces may be credited. To receive credit, each motorcycle and scooter space must have a concrete surface and minimum dimensions of 4 feet by 8 feet. Signs restricting the spaces to motorcycle and scooters must be provided.
8. **Parking Lot Design.** The following applies to any parking lot within the SCMU district.
 - a. **Pavement Design.** Refer to Division 195 for parking lot design requirements. The following additional requirements apply:
 - (1) Pavement areas shall consist only of necessary drives, walkway paths, and parking spaces; all other areas shall be landscaped. Excessive pavement shall be avoided.
 - (2) Alleys may be used as drive aisles.
 - b. **Pedestrian Access.** All surface parking lots with 2 or more double-loaded aisles shall provide internal pedestrian pathway(s) within the parking area and outside of the parking drive aisle.
 - (1) Dimension. The pathway shall be a minimum of 6 feet in width.
 - (2) Quantity. One pathway is required for every 2 double-loaded aisles.
 - (3) Location. The pathway shall be centrally located within the parking area to serve a maximum number of parking stalls.
 - (4) Pathways shall provide direct connections to the principal structure(s) entrances from the spaces furthest from the entrance.
 - (5) Pathway Delineation. Pedestrian pathways should be clearly marked through the use of alternative materials, such as pavers.
9. **Bicycle Parking.** Minimum long-term and short-term bicycle parking spaces for specified land uses are set forth in Table 70.6-F. Bicycle Parking.
 - a. **Bicycle Parking Design**
 - (1) Location. Bicycle parking should be located within 50 feet of the entrance of the use on the same zoning lot as the use.
 - (2) Short-term bicycle parking may be indoors or outdoors.
 - (3) Bicycle parking racks provided as part of the streetscape or provided by others as part of the streetscape, when located within 50 feet of the entrance may be counted towards the requirement for short-term bicycle parking.
 - (4) Long-term bicycle spaces must be located in a limited-access enclosure protecting bicycles from precipitation and theft, such as: enclosed indoor bicycle rooms, bicycle sheds, bicycle lockers, and weather-protected bicycle parking spaces that are monitored by an attendant or security system, such as bike boxes.
 - (5) Aisle. An aisle, minimum of 5 feet wide, shall be provided adjacent to any bicycle parking facilities to allow for maneuvering.
 - (6) Racks. Racks shall be installed a minimum of 2 feet from any wall or other obstruction, except for wall-mounted bicycle racks, which may be mounted directly on a wall.
 - (7) Spaces located within individual dwelling units may not be counted toward bicycle parking requirements.
 - (8) Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.
 - (9) Racks and Structures. Racks and structures shall be provided for each unprotected parking space, and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at 2 points. Racks may be floor-mounted or wall-mounted, and they must be securely affixed or bolted to the floor or wall.
 - b. **Minor Waiver.** A minor waiver may be requested for the following:
 - (1) Off-site bicycle parking located within 350 feet of the building, provided a continuous

pedestrian and bicycle pathway is provided without any street interruption.

- (2) Bicycle parking in a separate phase of development may be approved with a letter of commitment signed by the applicant and the Town Manager.
- c. **Design Waiver.** A design waiver may be requested for any of the bicycle parking requirements, provided that the applicant can prove that either the short-term or long-term parking is provided in an accessible location and that the parking provided meets industry standards for bicycle parking facilities.
- d. **Surface.** The parking surface shall be designed and maintained to be mud and dust free. The use of rock or gravel areas for bicycle parking is permitted provided that edging materials clearly demarcate bicycle parking area and the rock material is contained.
- e. **Signage.** If required bicycle parking for public use is not visible from the street, signs must be posted indicating their location.

TABLE 70.6-F. BICYCLE PARKING

Use	Minimum Long-Term Bicycle Spaces	Minimum Short-Term Bicycle Spaces
Residential Dwelling with fewer than 4 units	No minimum	No minimum
Residential Dwelling with 4 or more units and no private garage	1 per 2 dwelling units	1 per 20 dwelling units, minimum 2
Group Living	1 per 3 staff	1 per 4 beds
Assembly	1 per 15,000 s.f.	1 per 5,000 s.f.
Higher Education, Trade School	1 per every 20,000 s.f. of building area	1 per every 5,000 s.f. of building area
Parks & Recreation	No minimum	1 per every 15,000 s.f., with 15 minimum
All Other Civic & Institutional Uses	1 per 30,000 s.f.	1 per every 10,000 s.f., with 10 minimum
Hotel	1 per every 60 sleeping rooms	1 per every 30 sleeping rooms, minimum 4
All Retail & Service Uses	1 per 12,000 s.f.	1 per 3,500 s.f.
Office, Research & Laboratories	1 per 10,000 s.f.	1 per every 20,000 s.f.

70-7. Definitions & Measuring

General Definitions

70-7. DEFINITIONS & MEASURING

A. GENERAL DEFINITIONS

For the purposes of the SCMU district, the following terms shall have the following meanings:

1. **Courtyard.** An outdoor area enclosed by a building or buildings on at least three sides for at least 75 percent of the length of each side, and open to the sky. Refer to [Figure 70.7.A-1](#) for an example of a courtyard.
2. **Facade.** The exterior walls of a building exposed to public view from a street, including return walls as illustrated in [Figure 70.7.A-1](#).
3. **Occupied Space.** Interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking. Refer to [Figure 70.7.A-8](#) for an example of occupied space on a primary frontage.
4. **Pedestrianway.** A pathway designed for use by pedestrians; it can be located mid-block allowing pedestrian movement from one street to another without traveling along the block's perimeter. Refer to [Figure 70.7.A-4](#) for examples of pedestrianways.
5. **Porch.** A roofed, open-air platform at the entrance to a building, with or without steps, usually with space for seating. Refer to [Figure 70.7.A-2](#) for an illustration of a porch.
6. **Primary Street.** A street that receives priority over other streets in terms of setting front lot lines and locating building entrances. Refer to [Sec. 70-1.D.3](#) and [Sec. 70-3.B.3](#) for explanation of primary streets.
7. **Public Way.** Any street, lane, drive, pedestrianway, trails, multi-use path, but not alley.
8. **Shadow line.** An architectural feature consisting of a decorative, three-dimensional, linear element, horizontal or vertical, protruding or indented a minimum depth from the exterior facade of a building typically utilized to delineate the top or bottom of floors or stories of a building, intended to create a shadow line. Examples may include cast stone cornices, pilasters, or stepped brick coursing. Refer to [Figure 70.7.A-7](#) for examples of shadow lines.
9. **Stoop.** An open-air platform or flat, paved area at the entrance to a building, with or without steps and with or without a projecting canopy, typically unroofed. Refer to [Figure 70.7.A-3](#) for an illustration of a stoop.
10. **Street Face.** The facade of a building that faces a street right-of-way.
11. **Transparency.** The measurement of the percentage of a facade that has highly transparent, low reflectance windows. For example, mirrored glass would not fulfill transparency requirements. Refer to [Sec. 70-7.B.7](#) for explanation of measuring transparency.
12. **Yard.** The space on a lot which is unoccupied and unobstructed from the ground to the sky by the Principal Structure. Refer to [Figure 70.7.A-6. Illustration of Yards](#). *Note that the Rear Yard is fully screened from the street by the structure.*
 - a. **Yard, Corner Side.** For the purposes of sections the SCMU district, a yard extending from the non-primary building facade along a non-primary street lot line between the front (primary street) yard and rear lot line.
 - b. **Yard, Front or Primary Street.** A yard extending from the front or primary street facade of the principal structure along the full length of the front or primary street lot line, between the side lot lines or side and corner side lot lines.
 - c. **Yard, Rear.** A yard extending from the rear building facade along the rear lot line between the side yards or, on a corner lot, the corner side and side yards.
 - d. **Yard, Side.** A yard extending from the side building facade along a side lot line between the front yard and rear lot line.

70-7. Definitions & Measuring General Definitions



Figure 70.7.A-1. **Example of Courtyard**

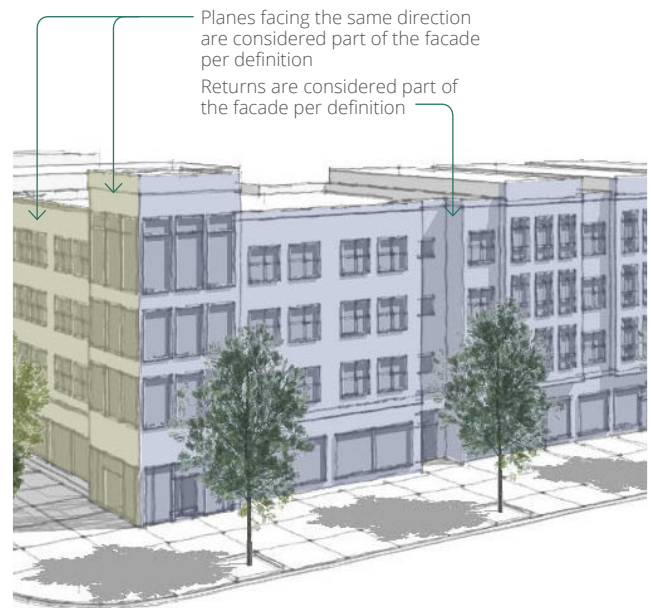


Figure 70.7.A-5. **Illustration of Facade Definition**



Figure 70.7.A-4. **Examples of Pedestrianways between Buildings**



Figure 70.7.A-2. **Illustration of a Porch**



Figure 70.7.A-3. **Illustration of a Stoop**

70-7. Definitions & Measuring General Definitions



Figure 70.7.A-8. **Example of Occupied Space on Primary Frontage**



Figure 70.7.A-7. **Examples of Shadow Lines**

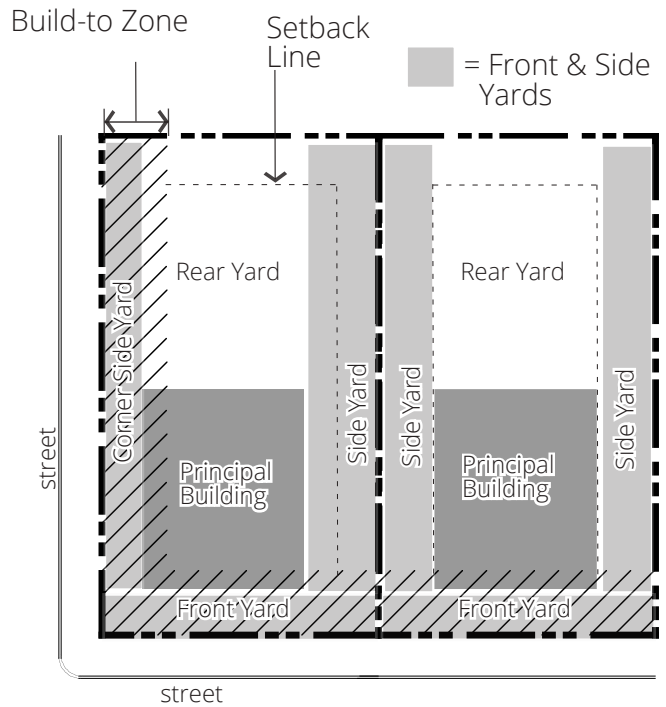


Figure 70.7.A-6. **Illustration of Yards**

B. MEASURING

The following defines the standards outlined on the tables on the previous pages, specific to each building type, refer to [Sec. 70-3.C](#) through [Sec. 70-3.H](#).

1. **Minimum Primary Frontage Coverage.** The minimum percentage of building facade along the primary frontage of a lot is designated on each building type table.
 - a. **Measurement.** The width of the principal structures (as measured within the build-to zone along the frontage edge) is divided by the length of the frontage parallel to the property line following the street. Refer to Figure 70.7.A-9. Minimum Primary Frontage Lot Line Coverage.
 - b. **Courtyards.**
 - (1) **Definition.** Refer to [Sec. 70-7.A.1](#) for the definition and an illustration of a courtyard.
 - (2) **Applies to Coverage.** Where noted by building type, courtyards, maximum of 30% of facade width or 30 feet wide, whichever is less, may count towards the minimum

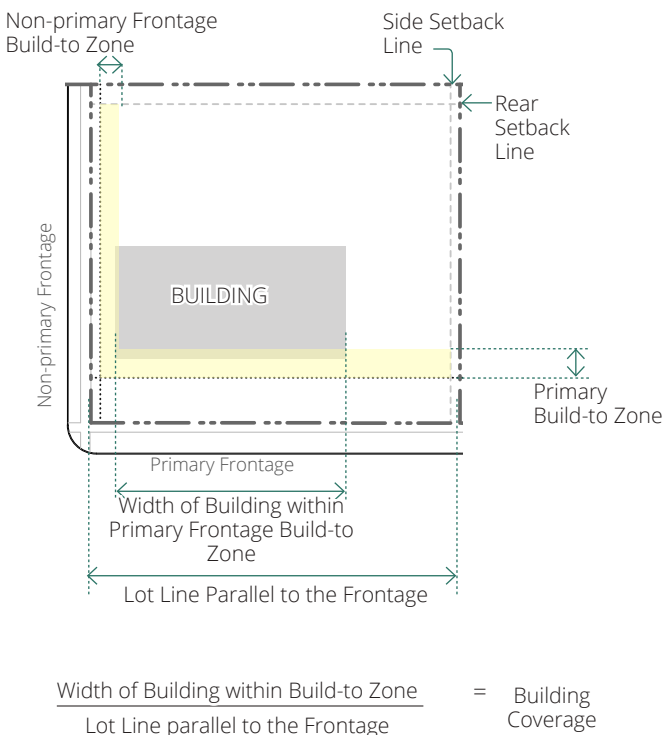


Figure 70.7.A-9. **Minimum Primary Frontage Lot Line Coverage**

primary frontage coverage. The courtyard must be treated with landscape, patio, or sidewalk; no vehicular area is permitted in any courtyard.

- c. **Parking and Driveways.** Parking and driveways do not count towards the minimum primary frontage coverage, unless otherwise stated in this Division 70.
- d. **Civic Space Type.** Open spaces per civic space type requirements are exempt from minimum primary frontage lot line coverage.
2. **Build-to Zone.** The build-to zone is designated separately for each frontage on each building type table. Refer to Figure 70.7.A-10. Build-to Zones.
 - a. **Definition.** Build-to Zone is an area in which the front or corner side facade of a building shall be placed; it may or may not be located directly abutting a lot line. The zone dictates the minimum and maximum distance a structure may be placed from a lot line.
 - b. **Measurement.** The build-to zone for all frontages is measured from the property line parallel to the frontage, unless otherwise noted. When additional streetscape area is required, the build-to zone is measured from the edge of the required streetscape onto the site.
 - c. **Height.** The primary frontage facades for the minimum height of the building type must be located within the build-to zone. For example, if the minimum height of the Storefront building is 2 stories, then, at a minimum, the first 2

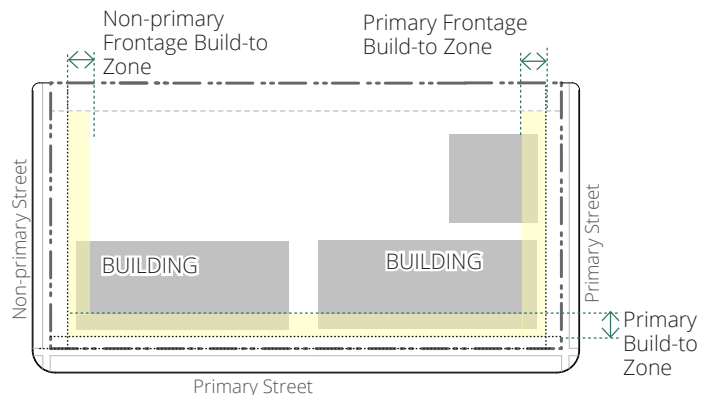


Figure 70.7.A-10. **Build-to Zones**

70-7. Definitions & Measuring Measuring

stories of the building from the ground up must be located within the build-to zone on the same vertical plane.

- d. **Encroachments.** Awnings, balconies, and building mounted signage may extend up to 3 foot beyond the build-to zone into any yard area, but may not extend into the street right-of-way unless otherwise expressly approved with an encroachment permit.
3. **Impervious and Semi-Pervious Site Coverage.** Building coverage, site impervious, and additional semi-pervious coverage shall be calculated and measured as follows. Refer to [Figure 70.7.B-1. Site Impervious and Semi-Pervious Coverage](#).
 - a. **Definitions.**
 - (1) **Impervious Site Coverage.** The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, and patios.
 - (2) **Pervious Surface.** Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material.
 - (3) **Pervious Surface, Semi-.** Also referred to as semi-pervious material. A material or surface that allows for at least 40% absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, gravel, vegetated or green roofs.
 - b. **Maximum Site Impervious Coverage.** The maximum site impervious coverage is the maximum percentage of a lot permitted to be

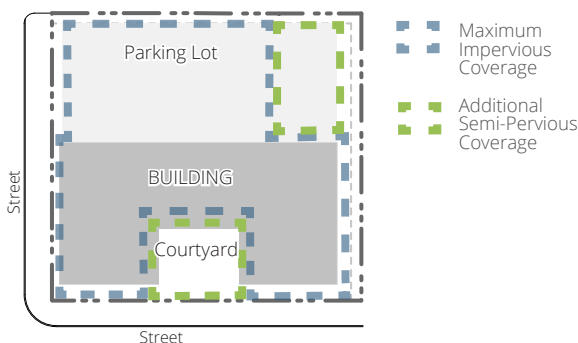


Figure 70.7.B-1. **Site Impervious and Semi-Pervious Coverage**

covered by structures, pavement, and other impervious surfaces.

- c. **Additional Semi-Pervious Coverage.** In addition to the allowable impervious coverage on a site, a maximum amount of additional semi-pervious coverage is permitted.
4. **Parking, Driveways, Garage Entrances**

Parking, driveways, and garage entrances are managed by building type and do not count towards minimum primary frontage coverage, unless otherwise stated in this Division 70.

 - a. **Limited Parking.** Limited side yard parking means one double or single loaded aisle, perpendicular to the street, maximum 65' in width as measured along the primary frontage lot line. Refer to [Figure 70.7.B-2](#) for an illustration of limited side yard parking.
 - b. **Driveway Locations.** Refer to [Sec. 70-3.B](#) for permitted hierarchy of locating driveways access off alleys, non-primary streets, and primary streets.
 - c. **Row Building Alley Access off Streets.** If no alley exists or is required per Regulating Plan, a private alley is required with access off a non-primary street. One access point is permitted off a non-primary street for every 175 feet of street frontage.
 - d. **Visibility of Garage Doors.** Row building type units shall be configured so that garage doors are fully screened from the primary street by the building.

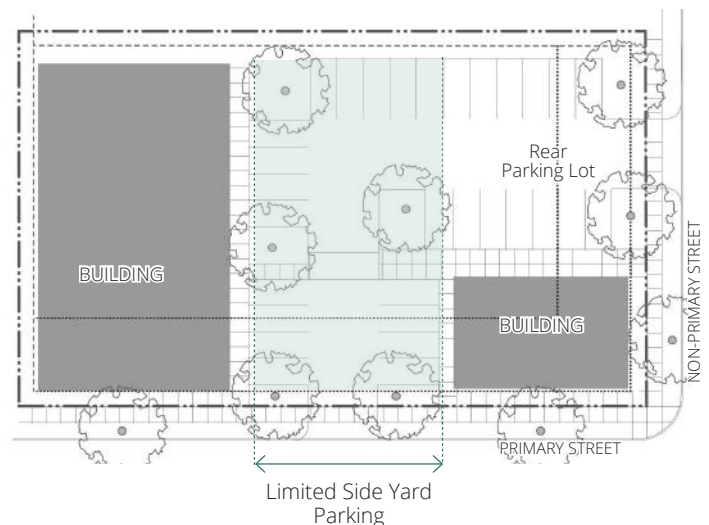


Figure 70.7.B-2. **Illustration of Limited Side Yard Parking**

5. **Ground Story and Upper Stories, Minimum and Maximum Height.** (Refer to [Figure 70.7.B-3](#) Measuring Stories with Floor-to-Floor Height).

a. **Definitions.**

- (1) **Story, Ground.** Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars.
- (2) **Story, Half.** A story either in the base of the building, partially below grade and partially above grade ("basement"), or a story fully within the roof structure with transparency facing the street.
- (3) **Story, Upper.** Also referred to as upper floor. The floors located above the ground story of a building.
- (4) **Visible Basement.** A half story partially below grade and partially exposed above with required transparency on the street facade.

b. **Minimum Overall Height.** Minimum heights require a minimum number of stories on the primary frontage facades of the building. The building must meet the minimum required height for the first 30 feet of occupied building space measured from the primary frontage facade into the building.

c. **Maximum Overall Height.** Maximum heights are specified both in number of stories and overall dimension. This requirement applies to the entire building.

d. **Towers.** Where noted, towers may exceed the overall maximum height per [Sec. 70-3.1](#).

e. **Cap Type.** Where noted, certain cap types may allow additional height.

f. **Two Half Stories.** Refer to [Sec. 70-7.B.5.a](#), above, for definition of a half story. A building incorporating both a half story within the roof and a visible basement shall count the height of the two half stories as one full story.

6. **Minimum & Maximum Height per Story.**

Each story is measured with a range of permitted floor-to-floor heights. Refer to [Figure 70.7.B-3](#) Measuring Stories with Floor-to-Floor Height.

a. **Measurement.** Floor height is measured in feet between the floor of a story to the floor

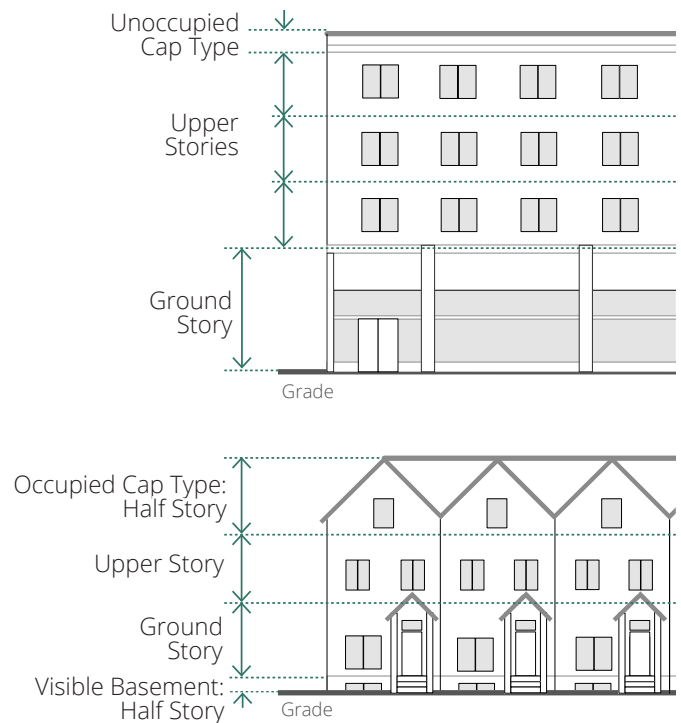


Figure 70.7.B-3. **Measuring Stories with Floor-to-Floor Height**

70-7. Definitions & Measuring Measuring

of the story above it. Minimum and maximum floor-to-floor heights are required to be met on floors along all primary street facades. See [Sec. 70-7.B.6.d](#), below for allowance for taller heights for such spaces as stairwells, mezzanines, and lobbies.

b. Single Story Buildings & Top Floor

Measurement. For single story buildings and the uppermost story of a multiple story building, floor-to-floor height shall be one foot less than noted per building type and measured from the floor of the story to the ceiling, i.e. if the permitted floor-to-floor heights of an upper story range between 9 feet to 14 feet, the range for a single story or the topmost story of the building is 8 feet to 13 feet.

c. **Mezzanines.** Mezzanines may be included within the floor-to-floor height of any story, included in the calculation of stories. Mezzanines occupying more than 30 percent of the floor area below and extending above the story's allowable floor-to-floor height shall count as an additional story, including articulation of the story per [Sec. 70-5.L](#).

d. **Taller Spaces.** Spaces exceeding the allowable floor-to-floor heights of the building are not permitted on primary frontage facades. These spaces are unlimited on interior facades and non-primary frontage facades, but shall be counted as the number of stories that would fit within their height.

7. **Minimum Required Transparency.** Per the requirements of each building type, a minimum amount of transparency is required on designated facades.

a. **Degree of Transparency.** Highly transparent, low reflectance windows means a minimum of 50 percent transmittance factor and a reflectance factor of not greater than 0.25.

b. **Measurement.** Minimum facade transparency is measured from floor-to-floor of each story separately. Refer to [Figure 70.7.B-5. Measuring Minimum Facade Transparency](#). Transparency, defined in [Sec. 70-7.A](#), includes windows and any glass in doors that is highly transparent with low reflectance. The measurement may include the frame, mullions, and muntins, but shall not include trim or casing.

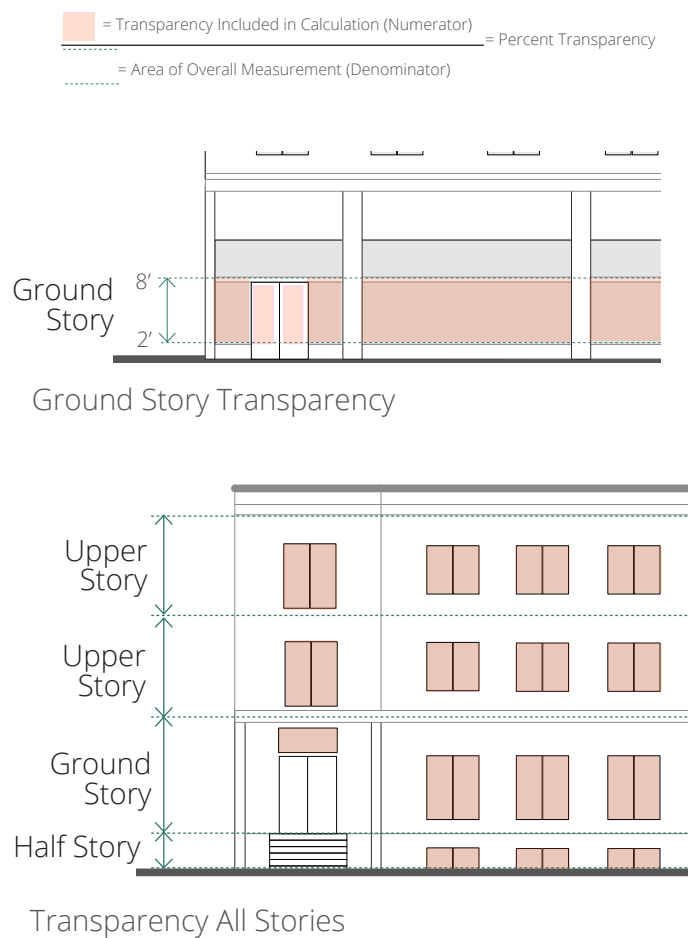


Figure 70.7.B-5. **Measuring Minimum Facade Transparency**

- c. **Blank Wall Segments.** Each building type designates facades where blank wall limitations apply. Blank wall limitations means no more than a 15-foot wide section, measured horizontally, and no more than 30 percent of any story shall be without transparency.
 - d. **Exception.** When a facade of any story is located within 3 feet of a parallel building facade, no minimum transparency is required for that story.
 - e. **Minimum Ground Story Transparency.** When required by the building type, ground story transparency shall be measured between 2 feet and either 8 or 10 feet, as noted, from the average grade at the base of the facade. Minimum ground story transparency supersedes the overall minimum transparency required for the building type.
 - f. **Tall Stories.** Stories that are 18 feet or taller in height shall be counted as 2 stories for the purpose of calculating minimum facade transparency, with each horizontal half of the story calculated separately.
 - g. **Half Stories.** All half stories located within a roof structure or visible basements are required to meet the minimum transparency.
8. **Minimum Number of Required Entrances.** Entrances shall be provided consistent with the entrance location and number requirements established for the building type and consistent with [Figure 70.7.B-6. Number of Required Entrances](#).

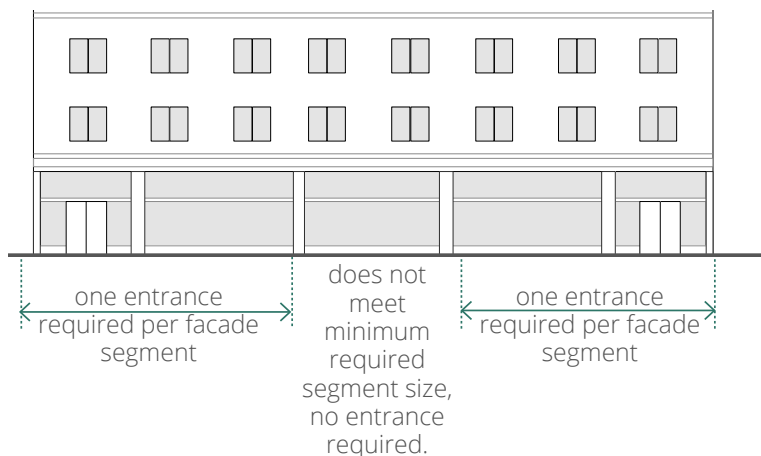


Figure 70.7.B-6. **Number of Required Entrances**

Master Plan Site A

70-8. MASTER PLAN SITES - APPROVED DISTRICT DEVELOPMENT PLANS

Master plan site illustrations and language to be located in this section once approved.

A. MASTER PLAN SITE A

B. MASTER PLAN SITE B

C. MASTER PLAN SITE C

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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 supports a range of activities and opportunities focused on the neighborhood and community that surrounds the corridor.
- B. Assure that new development and redevelopment are compatible with the Comprehensive Plan.
- 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 buildings and development, and multiple modes of transportation.
- 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 through the following measures:
 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 and existing buildings in the EBCZ.
 6. Provide ways to reduce dependency on automobiles through other modes of transportation.

Sec. 75-20 District Boundaries

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

Sec. 75-30 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. 75-40 Waiver

The Plan Commission, after public hearing, may grant a waiver of the dimensional standards up to ten (10) percent. In the case of parking, the number of parking spaces may be waived up to fifty percent (50%). 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. Any approval to permit such a waiver shall be subject to the following criteria:

- A. A proposed waiver of a regulation in this section shall be granted if it enhances the overall redevelopment of the adjoining properties, 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 75.
- G. This section does not affect the right of the applicant to petition the Board of Zoning Appeals for variance from development standards.

Land Use Classification

EBCZ land uses shall be in accordance with Table 75-1, Land Use Classification. Additional LBCS may be included. See Division 225 - Special Exception.

Table 75-1 Land Use Classification***USES PERMITTED BY RIGHT***

LBCS - 1121 - Duplex Structures

LBCS - 1130 - Accessory dwelling units - 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.

See Division 157 for accessory dwelling requirements and development standards

LBCS - 1140 - Townhouses

LBCS - 1200 - Multifamily Structure

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

LBCS - 2110 - Automobile sale or services establishment - *that is in compliance with Section 150-10: Automotive Repair, Paint, and Body Shop - Only the following are permitted:*

- Automotive washing and polishing
- Car washes
- Detailing services (it, cleaning and polishing) automotive
- Garages, do-it-yourself automotive repair

➤ Oil change and lubrication shops, automotive
➤ Quick-lube shops
➤ Self-service carwash
LBCS - 2113 - Bicycle, motorcycle, ATV, etc. - <i>Only the following are permitted:</i>
➤ Bicycle shops, motorized
➤ Moped dealers
➤ Motor scooters dealer
LBCS - 2115 - Part, accessories, or tires - <i>Only the following are permitted;</i>
➤ Automobile parts dealers - new only
➤ Parts and accessories dealers, automotive - new only
➤ Tire dealers, automotive - new only
LBCS - 2116 - Gasoline service - <i>Only the following are permitted:</i>
➤ Convenience food with gasoline stations
➤ Gasoline stations with convenience stores
➤ Gasoline with convenience stores
LBCS - 2120 - Heavy consumer goods sales or service - <i>Only the following are permitted:</i>
➤ Bicycle repair and maintenance shops without retailing new bicycles
➤ Clock repair shops without retailing new clocks
➤ Cutlery (e.g. knives, scissors) sharpening, household-type
➤ Garment alteration and/or repair shops without retailing new garments
➤ Jewelry repair shops without retailing new jewelry
➤ Key duplicating shops
➤ Motorcycle repair shops without retailing new motorcycles
➤ Musical instrument repair shops without retailing new musical instruments
➤ Sewing machine, house-hold type, repair shops without retailing new sewing machines
➤ Shoe repair shops without retailing new shoes
➤ Tailor shops, alterations only
➤ Watch repair shops without retailing new watches
LBCS - 2121 - Furniture or home furnishings - <i>Not used.</i>
LBCS - 2122 - Hardware, home centers, etc. - <i>Only if not located within a big box store</i>
LBCS - 2123 - Lawn and garden supplies - <i>Only if not located within a big box store</i>
LBCS - 2125 - Electronics and Appliances
LBCS - 2131 - Computer and software
LBCS - 2132 - Camera and photographic supplies
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 - <i>Only the following are permitted:</i>
➤ Art supply stores
➤ Calendar shops
➤ Collector's items shops (e.g., autograph, card, coin or stamp)
➤ Flag and banner shops
➤ Flower shops, artificial or dried
➤ Religious goods (except books) stores
➤ Swimming pool supply stores
➤ Trophy shops (including awards and plaques)
LBCS - 2141 - Florist

LBCS - 2143 - Tobacco or tobacconist establishment

LBCS - 2145 - Antique shops, flea, markets, etc. – *Only the following are permitted:*

- Apparel stores, used clothing
- Book stores, used
- Clothing stores, used
- Consignment shops, used
- Furniture stores, used
- Music stores (e.g. cassette, instrument, record, tape), used
- Rare manuscript stores
- Record stores, used

LBCS - 2151 - Grocery store, supermarket, or bakery - *Only the following are permitted:*

- Bakery store, retailing only (except immediate consumption)
- Butcher shops
- Delicatessens (except grocery store, restaurants)
- Delicatessens primarily retailing a range of grocery items and meats
- Fish markets
- Food (i.e., grocery stores) - *Only if not located within a big box store*
- Grocery stores - *Only if not located within a big box store*
- Meat markets

LBCS - 2152 - Convenience store

LBCS - 2153 - Specialty food store

LBCS - 2154 - Fruit and vegetable store

LBCS - 2155 - Beer, wine, and liquor store - *Except the following:*

- Liquor stores, packaged
- Package stores (i.e., liquor)

LBCS - 2161 - Pharmacy or drug store

LBCS - 2162 - Cosmetic and beauty supplies

LBCS - 2163 - Optical

LBCS - 2210 - Bank, credit union, or savings institution - *Except the following:*

- Branches of foreign banks
- Branches, Federal Reserve Bank
- Check clearing activities of the central bank

LBCS - 2220 - Credit and finance establishment - *Only the following are permitted:*

- Home equity credit lending
- Loan companies (i.e., consumer, personal, small, student)
- Mortgage banking (i.e., non-depository mortgage lending)
- Mortgage companies
- National Credit Union Administration (NCUA)
- Pawnshops
- Short-term inventory credit lending
- SLMA (Student Loan Marketing Association)

LBCS - 2230 - Investment banking, securities, and brokerage - *Only the following are permitted:*

- Credit card processing services
- Electronic financial payment services
- 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 - *Only the following are permitted:*

- Real estate agencies, real estate escrow
- Real estate agents' offices, real estate escrow
- Appraisal services, real estate
- Appraisers' offices, real estate
- Consultants' offices, real estate (except appraisers)
- Escrow agencies, real estate
- Fiduciaries' offices, real estate
- Land rental or leasing
- Listing services, real estate
- Real estate appraisal services
- Real estate appraisers' offices
- Real estate asset management services (except property management)
- Real estate consultants' offices (except agents, appraisers)
- Real estate escrow agencies
- Real estate escrow agents' offices
- Real estate fiduciaries' offices
- Real estate listing services

LBCS - 2320 - Property management services

LBCS - 2321 - Commercial property-related - *Only the following are permitted:*

- Office building, rental or leasing
- Professional office building, rental or leasing

LBCS - 2333 - Recreational goods rental - *Only the following are permitted:*

- Bicycle rental
- Exercise equipment rental
- Sports equipment rental

LBCS - 2335 - Consumer goods, rental - *Only the following are permitted:*

- Bridal wear rental
- Costume rental
- Formal wear rental
- Musical instrument rental

LBCS - 2411 - Legal services

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

LBCS - 2413 - Architectural, engineering, and related services - *Only the following are permitted:*

- 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
- Civil engineering services
- Consulting engineers' offices
- Drafting services
- Electrical engineering services
- Engineering design services
- Engineers' private practices

- Geographic information system (GIS) base mapping services
- Golf course design Landscape architects' private practices
- Landscape design services
- Topographic mapping services
- Town planning services
- Urban Planning services

LBCS - 2414 - Graphic, industrial, interior design

LBCS - 2415 - Consulting services (management, environmental, etc.) - *Only the following are permitted:*

- 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., client facilities) management and operation services
- Computer systems integration analysis and design services
- Computer system integration design consulting services
- Computer system integrator 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 - 2417 - Advertising, media, and photography services - *Only the following are permitted:*

- Photography services, commercial
- Photography services, portrait (e.g., still, video)
- School photography (i.e., portrait photography) services
- Sign language services
- Sign lettering and painting services
- Speech (i.e., language) interpretation services
- Videotaping services, special events (e.g., birthdays, weddings)
- Wedding photography services

LBCS - 2418 - Veterinary Services

- Veterinarian's offices
- Veterinary clinics
- Animal hospital

LBCS - 2421 - Office and administrative services - *Except the following:*

- Mail presorting services

LBCS - 2423 - Employment Agency

LBCS - 2424 - Business support services

LBCS - 2430 - Travel arrangement and reservation services

LBCS - 2440 - Investigation and security services - *Except the following:*

- Armored car services
- Guard dog services

LBCS - 2510 - Full-service restaurant

LBCS - 2520 - Cafeteria or limited services restaurant

LBCS - 2530 - Snack or nonalcoholic bar

LBCS - 2540 - Bar or drinking place

LBCS - 2560 - Caterer

LBCS - 2600 - Personal services - *Except the following:*

- Apron supply services
- Automobile parking garages or lots
- Bail bonding services
- Baths, steam, or Turkish
- Blood pressure testing machine concession operators, coin-operated
- Bondsperson services
- Cleaning and dyeing plants (except rug cleaning plants)
- Coat (e.g. barber's, beautician's, doctor's, nurse's) supply services
- Cooperative hospital laundries (i.e. supply services)
- Dating services
- Discount buying services
- Drycleaning plants (except rug cleaning plants)
- Dust control textile item (e.g. cloths, mats, mops, rugs, shop towels) supply services
- Escort services, social
- Flame resistant clothing supply services
- Industrial launderers
- Industrial uniform supply services
- Introduction services, social
- Launderers, industrial
- Laundries, linen and uniform supply
- Laundry services, industrial
- Massage parlor, sensual or adult massage
- Mat and rug supply services
- Pillow cleaning services
- Power laundries, commercial and family
- Radiation protection garment supply services
- Saunas
- Social escort services
- Steam baths
- Table linen supply services
- Towel (except shop, wiping) supply services
- Towel supply services, shop or wiping
- Turkish bathhouse
- Turkish baths
- Uniform (except industrial) supply services
- Uniform supply services, industrial

LBCS - 2710 - Pet or pet supply services

LBCS - 2720 - Animal and pet services - *Only the following are permitted:*

- Animal grooming services
- Obedience training
- Pet sitting services

LBCS - 3110 - Food and beverages - *Only the following are permitted:*

- Bakery products, fresh (i.e., bread, cakes, doughnuts, pastries) made in commercial bakeries
- Candy stores, chocolate, candy made on premises not for immediate consumption
- Doughnuts (except frozen) made in commercial bakeries (only for immediate sale)

LBCS - 3220 - Paper and printing materials - *Only the following are permitted:*

- 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 - 4170 - Postal services

LBCS - 4241 - Online information services

LBCS - 4242 - Libraries and archives

LBCS - 4243 - News syndicate

LBCS - 5110 - Theater, dance, or music establishment

LBCS - 5120 - Sports team or club

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

LBCS - 5150 - Agent for management services

LBCS - 5160 - Independent artist, writer, or performer

LBCS - 5210 - Museum

LBCS - 5220 - Historical or archeological institution

LBCS - 5330 - Casino or gambling establishment

LBCS - 5370 - Fitness, recreational sports, gym, or athletic club,

LBCS - 5380 - Bowling, billiards, pool, etc.

LBCS - 6100 - Educational services

LBCS - 6110 - Nursery and preschool

LBCS - 6120 - Grade schools

LBCS - 6121 - Elementary

LBCS - 6122 - Middle

LBCS - 6123 - Senior

LBCS - 6124 - Continuance

LBCS - 6125 - Alternate education services

LBCS - 6130 - Colleges and Universities

LBCS - 6140 – Technical, trade, and other specialty schools

LBCS - 6141 - Beauty schools

LBCS - 6142 - Business management

LBCS - 6143 - Computer training

LBCS - 6145 - Fine and performing arts education

LBCS - 6147 - Sports and recreation education

LBCS - 6430 - Emergency response

LBCS - 6511 - Clinics - *Except the following:*

➤ Pain therapy centers and clinics, outpatient
LBCS - 6512 - Family Planning and outpatient care centers, except the following:
➤ Abortion clinic
➤ Alcoholism treatment centers and clinics (except hospitals), outpatient
➤ Birth control clinics
➤ Detoxification centers and clinics (except hospitals), outpatient
➤ Drug addiction treatment centers and clinics (except hospitals), outpatient
➤ Outpatient treatment centers and clinics (except hospitals) for substance abuse including alcoholism, drug addiction
➤ Outpatient treatment centers and clinics for alcoholism
➤ Outpatient treatment centers and clinics for drug addiction
➤ Substance abuse treatment centers and clinics (except hospitals), outpatient
LBCS - 6520 - Nursing, supervision, and other rehabilitative services
LBCS - 6562 - Child day care
LBCS - 6566 - Services for elderly and disabled
LBCS - 6567 - Veterans affairs
LBCS - 6800 - Associations, nonprofit organizations, etc.
LBCS - 6810 - Labor and political organizations
LBCS - 6820 - Business associations and professional membership organizations
LBCS - 6830 - Civic, social, and fraternal organizations
LBCS - 7120 - Land development and subdivision
LBCS - 7310 - Carpentry, floor, tile contractor
LBCS - 7330 - Electrical contractor
LBCS - 7340 - Glass and glazing contractor
LBCS - 7350 - Masonry and drywall contractors
LBCS - 7360 - Painting and wall covering
LBCS - 7370 - Plumbing, heating, and air-conditioning

Sec. 75-50 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 hard surface not less than five (5) feet in width.

For safety, the following 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. 75-60 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, and character; and improve the functional use of the site and the 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 (3) 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 and brick or stone pavers.
- J. Arbors and trellises.
- K. Landscape clusters and features.
- L. Site sculptures.

Sec. 75-70 EBCZ Development Regulations**A. 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.

B. Building and Project Compatibility

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

C. Compatible Design of Building

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

D. Building Appearance and Architectural Character

New development or 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.

E. Windows

1. Mirror glass with a reflectivity or opacity of greater than sixty percent (60%) 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; be placed, to visually establish and define buildings and multiple store, or shop within a single building and establish human scale and proportion.

F. Building Size, Height, Bulk, Mass, Scale

1. 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.
2. 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.
3. Fixed or retractable awnings are permitted if they meet the follow guidelines:
 - a. Complement of building's architectural style, colors, and detail.
 - b. Do not conceal architectural features such as cornices, columns, pilasters, or decorative details.
 - c. Are designed as an integral part of the façade.
 - d. Metal or aluminum awnings are prohibited.

G. 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 to cross driveways.

H. 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.

I. Building Materials

To assure quality materials and aesthetic appearance, the following building materials shall be used:

1. At least seventy percent (70%) of the exterior building materials shall be brick or stone. Subordinate materials, up to thirty percent (30%), may include wood framing, permanently stained split faced textured block, and exterior insulation finish systems. 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 or complimentary to those existing developments, 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 twenty-five (25) linear feet shall incorporate architectural articulations, wall plane projections, or recesses having a depth of at least three percent (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 twenty percent (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.

J. Building Color

1. Color shades and tones shall be used to facilitate appearance, aesthetics, and to contribute to the blending of the development into the neighborhood, as well as unifying the development itself.
2. A new development of a single structure, or multiple structures, may establish its own integrated color scheme utilizing the following ranges shown in Table 75-2, Suggested Colors.:

Table 75-2 Suggested Colors					
Colors					
1.	#467pc	C=20	M=32	Y=58	K=0
2.	#4645pc	C=0	M=37	Y=68	K=28
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				

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

Sec. 75-80 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. 75-90 Architectural Articulations

Building façades shall incorporate at least four of the following:

- A. Offsets.
- 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.
- A. Other elements approved by the Plan Commission on the recommendation of the Technical Review Committee.

Sec. 75-100 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 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. 75-110 Outdoor Display/Storage Areas

Minor displays of merchandise shall be placed outdoors, provided such meet the following:

4. Outdoor displays shall not exceed one hundred fifty (150) square feet in total area.
5. The outdoor display is located immediately adjacent to the primary structure, but not within the required minimum front yard.
6. The outdoor display is maintained in an orderly manner; clean and free of litter, trash, and debris.
7. Shall not be located on any public street or public sidewalk.

Outdoor storage is prohibited unless shielded by a six (6) feet opaque fence and located within the rear yard. Any outdoor storage may not be located within twenty (20) feet of any public street, public sidewalk, or internal pedestrian way.

Sec. 75-120 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 or 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 material of the building and landscape.

Sec. 75-130 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 of activities onsite that generate potential adverse impacts on adjacent uses, such as noise and glare.
- C. Arrangement of buildings.
- D. Location of loading and delivery zones.
- E. Light intensity, shielding, and hours of full illumination.
- F. Location and placement of pedestrian amenity areas.
- G. Placement and illumination of outdoor vending machines and areas.

Sec. 75-140 Building Permits

The Building Commissioner shall not issue a building permit for a MED development until the Planning Department has approved the plans.

Sec. 75-150 Landscaping

See Division 180 - Landscape Regulations

Sec. 75-160 Lighting

Lighting shall meet the requirements of this section or Division 190 – Lighting Regulations; 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 one hundred (100) feet apart, and a fixture that is standard for the utility company serving the area, unless otherwise approved by the Technical Review Committee. 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 foot 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 king areas shall not exceed the building height, or twenty five (25) feet, whichever is less. When light standards abut or fall within ninety (90) feet of single-family residential uses or districts, their height shall not exceed fifteen (15) feet.

Sec. 75-170 Signs

See Division 200 – Sign Regulations

Sec. 75-180 Parking Loading

See Division 195 – Off-Street Parking Regulations

Sec. 75-190 Assess Management Plan

See Division 155- Access Management Plan

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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 Veterans 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 Land 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 - 1330 - Hotel, motel, or tourist court

LBCS - 2120 - Heavy consumer goods sales or services - *Only the following are permitted:*

- Tailor shops, alterations only
- Tuning and repair of musical instruments
- Watch repair shops without retailing new watches

Table 80-1 Land Use Classification**USES PERMITTED BY RIGHT**

LBCS - 2121 - Furniture or home furnishings - *Only the following are permitted, if located within a Big Box:*

- Bath shops
- Chinaware stores
- Custom picture frame shops
- Furniture and appliance stores (i.e., primarily retailing furniture)
- Furniture stores (e.g., household, office, outdoor)
- Glassware stores
- Home furnishings stores
- Housewares stores
- Kitchenware stores
- Lamp shops, electric
- Linen stores
- Picture frame shops, custom
- Window treatment stores

LBCS - 2122 - Hardware, home centers - *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 - *Only the following are permitted, if located within a Big Box:*

- Department stores
- Discount department stores
- Superstores (i.e., food and general merchandise)
- Variety stores
- Warehouse clubs (i.e., food and general merchandise)

LBCS - 2125 - Electronics and appliances - *Only the following are permitted:*

- Appliance stores, household-type
- Audio equipment stores (except automotive)
- Cellular telephone stores
- Consumer-type electronic stores (e.g., radio, television, video, camera)
- Household-type appliance stores
- Radio and television stores
- Sewing machine stores, household-type
- Stereo stores (except automotive)
- Telephone stores (including cellular)
- Television and radio stores
- TV (television) stores
- Vacuum cleaner stores, household-type

LBCS - 2126 - Lumber yard and building materials - *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. - *Only the following are permitted:*

- Apparel accessory stores
- Apparel stores, children's and infants' clothing
- Apparel stores, men's and boy's clothing
- Apparel stores, women's and girls' clothing
- Athletic shoe stores
- Baby clothing shops

Table 80-1 Land Use Classification

<i>USES PERMITTED BY RIGHT</i>	
	<ul style="list-style-type: none"> ➤ Bridal gown shops (except custom) ➤ Clock shops ➤ Clothing accessories stores ➤ Clothing stores, children's and infants' ➤ Clothing stores, family ➤ Clothing stores, men's and boys' ➤ Clothing store, women's and girls' ➤ Coat stores ➤ Costume jewelry stores ➤ Dress Shops ➤ Fabric shops ➤ Family clothing stores ➤ Fur apparel stores ➤ Furnishings stores, men's and boys' ➤ Furnishings stores, women's and girls' ➤ Handbag stores ➤ Hat and cap stores ➤ Hosiery stores ➤ Jewelry stores, costume ➤ Jewelry stores, precious ➤ Leather coat stores ➤ Tie shops ➤ Unisex clothing stores ➤ Watch shops ➤ Wig and hairpiece stores
LBCS - 2134 - Sporting goods, toy and hobby, and musical instruments - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Athletic equipment and supply stores (including uniforms) ➤ Bicycle (except motorized) shops ➤ Craft supply stores (except needlecraft) ➤ Driving equipment stores ➤ Exercise equipment stores ➤ Fishing supply stores (e.g., bait) ➤ Footwear (e.g., bowling, golf, spiked) specialty sports, stores ➤ Golf pro shops ➤ Hobby shops ➤ Outdoor sporting equipment stores ➤ Pro shops (e.g., golf, skiing, tennis) ➤ Sporting goods stores ➤ Sports gear stores (e.g., outdoors, scuba, skiing) ➤ Tack shops ➤ Tackle shops (i.e., fishing) ➤ Toy stores ➤ Uniform stores, athletic
LBCS - 2135 - Books, magazines, music, stationery - <i>Except the following:</i>	<ul style="list-style-type: none"> ➤ Curio shops ➤ Magazine stands (i.e., permanent) ➤ News dealers

Table 80-1 Land Use Classification

<i>USES PERMITTED BY RIGHT</i>	
	<ul style="list-style-type: none"> ➤ Newsstands (i.e., permanent) ➤ Novelty shops
LBCS - 2140 - Consumer goods - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Art supply stores ➤ Calendar shops ➤ Candle shops ➤ Collector's items shops (e.g., autograph, card, coin stamp) ➤ Flower shops, artificial or dried ➤ Home security equipment stores - <i>only in a big box</i> ➤ Hot tub stores - <i>only in a big box</i> ➤ Religious goods (except books) stores ➤ Trophy (including awards and plaques) shops
LBCS - 2151 - Grocery store, supermarket, or bakery - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Food (i.e. groceries) store - <i>not within a big box</i> ➤ Grocery stores - <i>not within a big box</i>
LBCS - 2153 - Specialty food store	
LBCS - 2155 - Beer, wine, and liquor store - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Wine shops, packaged
LBCS - 2160 - Health and personal care - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Vitamin stores
LBCS - 2161 - Pharmacy or drug store - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Pharmacies
LBCS - 2163 - Optical - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Lens grinding, ophthalmic, in retail stores ➤ Optical goods stores (except offices of optometrists)
LBCS - 2210 - Bank, credit union, or saving institution	
LBCS - 2220 - Credit and finance establishment - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Mortgage banking (i.e., non-depository mortgage lending) ➤ National Credit Union Administration (NCUA)
LBCS - 2230 - Investment banking, securities, and brokerages - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Certificate of deposit (CD), brokers' offices ➤ Loan brokerages
LBCS - 2321 - Commercial property related - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Bank building ➤ Insurance building ➤ Medical building ➤ Nonresidential building except mini warehouse ➤ Office building ➤ Professional office building ➤ Real estate rental or leasing of nonresidential building except mini warehouse ➤ Shopping center, not exceeding 30,000 sq. ft. on not more than 3 acres ➤ Theater

Table 80-1 Land Use Classification***USES PERMITTED BY RIGHT***

LBCS - 2322 - Rental housing-related - *Only the following are permitted:*

- Residential hotel rental or leasing

LBCS - 2331 - Cars - *Only the following are permitted:*

- 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 - 2334 - Leasing commercial, industrial machine - *Only the following are permitted:*

- Carpentry equipment rental or leasing

LBCS - 2335 - Consumer goods rental - *Only the following are permitted:*

- Bridal wear rental
- Clothing rental (except industrial launderer, linen supply)
- Dress suit rental
- Formal wear rental
- Gown rental
- Suit rental
- Tuxedo rental

LBCS - 2424 - Business support services - *Only the following are permitted:*

- Copy centers (except combined with printing services)
- Copy shops (except combined with printing services)
- Court reporting services

LBCS - 2510 - Full-service restaurant

LBCS - 2520 - Cafeteria or limited service restaurant

LBCS - 2530 - Snack or nonalcoholic bar

LBCS - 2600 - Personal - *Only the following are permitted:*

- Apparel pressing services
- Automatic laundries, coin-operated
- Balloon-o-gram services
- Barber shops
- Beautician services
- Beauty and barber shops, combined
- Beauty parlors
- Beauty salons
- Beauty shops
- Blood pressure testing machine concession operators, coin-operated
- Cleaners, dry cleaning and laundry service (except coin-operated)

Table 80-1 Land Use Classification***USES PERMITTED BY RIGHT***

- Coin-operated dry cleaners and laundries
- Coin-operated laundry and dry-cleaning routes (i.e., concession operators)
- Coin-operated personal service machine (e.g., blood pressure, locker, photographic, scale, shoeshine) concession operators
- Color consulting services (i.e., personal care services)
- Consumer buying services
- Cosmetology salons or shops
- Depilatory (i.e., hair removal) salons
- Diet centers, non-medical
- Diet workshops
- Ear piercing services
- Electrolysis (i.e., hair removal) salons
- Esthetician (i.e., skin care) services
- Facial salons
- Genealogical investigation services
- Hair removal (i.e., depilatory, electrolysis) services
- Hair replacement services (except by offices of physicians)
- Hair stylist salons or shops, unisex or women's
- Hair stylist services, men's
- Hair stylist services, unisex or women's
- Hair stylist shops, men's
- Hair weaving services
- Hairdresser services
- Hairdressing salons or shops, unisex or women's
- Launderettes
- Laundries (except coin-operated, linen supply, uniform supply)
- Laundries, coin-operated or similar self-service
- Laundromats
- Laundry drop-off and pick-up sites
- Laundry machine routes (i.e., concession operators), coin-operated or similar self service
- Laundry services (except coin-operated, linen supply, uniform supply)
- Laundry services, coin-operated or similar self-service
- Make-up (except permanent) salons
- Make-up salons, permanent
- Manicure and pedicure salons
- Manicurist services
- Nail salons
- One-hour photofinishing services
- Party planning services
- Pedicure and manicure salons
- Pedicurist services
- Personal shopping services
- Photofinishing labs, one-hour
- Photofinishing services, one-hour
- Phrenology services
- Pickup and drop-off sites for drycleaners and laundries
- Saunas
- Scalp treating services

Table 80-1 Land Use Classification

<i>USES PERMITTED BY RIGHT</i>	
	<ul style="list-style-type: none"> ➤ Self-service drycleaners and laundries ➤ Shoeshine parlors ➤ Shoeshine services ➤ Shopping services, personal ➤ Singing telegram services ➤ Sun tanning salons ➤ Tanning salons ➤ Telegram services, singing ➤ Uniform (except industrial) supply services ➤ Unisex hair stylist shops ➤ Wedding planning services ➤ Weight loss centers, non-medical ➤ Weight reducing centers, non-medical
LBCS - 3110 - Food and beverages - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Bakery products, fresh (i.e., bread, cakes, doughnuts, pastries) made in commercial bakeries ➤ Doughnuts (except frozen) made in commercial bakers (only for immediate sale)
LBCS - 3130 - Textiles - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Tailored dress and sport coats, men's and boys' cut and sew apparel contractors ➤ 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 - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Instant printing (i.e., quick printing) ➤ Print shops, lithographic (offset) (except grey goods, manifold business forms, printing books, quick printing) ➤ Print shops, quick
LBCS - 4133 - Local transit systems - bus, special needs, and other motor vehicles	
LBCS - 4136 - Special purpose transit transportation (including scenic, sightseeing, etc.)	
LBCS - 4137 - Taxi and limousine service	
LBCS - 4160 - Courier and messenger services	
LBCS - 4212 - Software publisher	
LBCS - 4222 - Motion picture viewing and exhibition services	
LBCS - 4233 - Wireless telecommunications	
LBCS - 5370 - Fitness, recreational sports, gym, or athletic club	<ul style="list-style-type: none"> ➤ 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, but are not limited to: <ul style="list-style-type: none"> ❖ <i>Fitness clubs</i> ❖ <i>Gyms</i> ❖ <i>Archery ranges</i> ❖ <i>Horseback riding establishments</i>

Table 80-1 Land Use Classification

USES PERMITTED BY RIGHT	
	<ul style="list-style-type: none"> ❖ <i>Recreational ball parks and courts</i> ❖ <i>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.</i>
LBCS - 6210 - Legislative and executive functions - <i>Only the following are permitted:</i>	<ul style="list-style-type: none"> ➤ Advisory commissions, executive government ➤ Advisory commissions, legislative ➤ Town councils ➤ Town managers' offices ➤ Community development agencies, government ➤ Community recreation programs, government ➤ Development assistance program administration ➤ Economic development agencies, government ➤ Executive and legislative office combinations ➤ Executive offices, federal, state, and local (e.g., governor, mayor, president) ➤ General public administration ➤ General services departments, government ➤ Housing authorities ➤ Housing programs, planning and development, government ➤ Industrial development program administration ➤ Internal revenue service ➤ Land redevelopment agencies, government ➤ Legislative and executive office combinations ➤ Legislative assemblies ➤ Legislative bodies (e.g., federal, local, and state) ➤ Legislative commissions ➤ Licensing and inspecting of utilities ➤ Mayor's offices ➤ Parks and recreation commission, government ➤ Personnel offices, government ➤ Public service (except transportation) commissions, nonoperating ➤ Recreational programs administration, government ➤ Redevelopment land agencies, government ➤ Small business development agencies ➤ Tourism development offices, government ➤ Treasurers offices', government ➤ Urban planning commissions, government ➤ Zoning boards and commissions
LBCS - 6221 - Courts	
LBCS - 6410 - Fire and rescue	
LBCS - 6420 - Police	
LBCS - 6430 - Emergency response	
LBCS - 6513 - Medical and diagnostic laboratories	
LBCS - 6514 - Blood and organ banks	

Table 80-1 Land Use Classification**USES PERMITTED BY RIGHT**

LBCS – 6520 - Nursing, supervision, and other rehabilitative services - *Only the following are permitted:*

- Homes for emotionally disturbed adults or children
- Homes for the aged with nursing care
- Homes for the elderly with nursing care
- Homes with or without health care, mental retardation
- Homes, psychiatric convalescent
- Hospices, inpatient care
- Hospitals, mental retardation
- Hospitals, psychiatric convalescent
- Intermediate care facilities, mental retardation
- Mental health facilities, residential
- Mental health halfway houses
- Mental retardation facilities (e.g., homes, hospitals, intermediate care facilities), residential
- Mental retardation homes
- Mental retardation hospitals
- Mental retardation intermediate care facilities
- Nursing care facilities
- Nursing homes
- Psychiatric convalescent homes or hospitals
- Residential group homes for the emotionally disturbed
- Rest homes with nursing care
- Retirement homes with nursing care
- Skilled nursing facilities

LBCS - 6530 - Hospital

LBCS - 6566 - Services for elderly and disabled

LBCS - 6567 - Veterans affairs

LBCS - 6810 - Labor and political organizations

LBCS - 6820 - Business associations and professional membership organizations

LBCS - 7110 - Land development and subdivision

Sec. 80-30 Building Standards

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

A. Facades and Exterior Walls

Facades or exterior walls exceeding thirty (30) feet in length, as measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent (3%) of the length of the façade or wall.

1. Street level façades that face public streets shall have arcades, display windows, intrigue areas, awnings, and other such features as long as they are no less than thirty-five percent (35%) of the horizontal length of the ground floor façade.
2. Exterior walls of buildings shall be 65% masonry of either brick or stone and faux or veneer is acceptable
3. Building façades shall include at least two of the following:
 - a. Color change.
 - b. Texture change.

- c. Material change.
 - d. Architectural or structural change that may include among other architectural or structural elements projecting ribs or offsets.
 - e. Other similar change in the façade meeting the intent and purpose of this ordinance.
- B. Roofs shall have parapets that conceal rooftop equipment.
- C. Ground level equipment shall be screened from public view.
- D. 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.
- E. Refuse Disposal shall comply with the Commercial Refuse Ordinance.

Sec. 80-40 Materials and Colors

Materials shall be high-quality including, but not limited to, brick, stone, and/or tinted/textured concrete masonry units. Colors shades and tones shall be used to facilitate appearance, aesthetics, and contribute to the blending and unification of the development. Primary, bright, bold, or excessively brilliant colors should be avoided unless used sparingly as part of the secondary contrasting colors.

Sec. 80-50 Entryways

Entryways of large retail establishments should have clearly defined, highly visible customer entryways identified through the use of any of the design elements below:

- A. Canopies or porticos
- B. Overhangs
- C. Recesses/projections
- D. Arcades
- E. Raised cornice parapets over the door
- F. Peaked roof forms
- G. Arches
- H. Outdoor patios
- I. Display windows
- J. Architectural details that are integrated into the building structure and design
- K. Planters or wing walls that are incorporated into the landscape areas and/or places for sitting

Sec. 80-60 Development Plan, Site Design, and Relationship to Veterans Parkway Corridor

A development plan that complies with Division 170 shall be submitted to the Planning Department, along with meeting or providing the requirements below:

- A. Excluding movie theaters, all sides of a building that directly faces or abuts a public street shall include at least one customer entrance.
- B. No more than fifty percent (50%) of the off-street parking area for a lot, tract, or area of land devoted to a large retail establishment shall be located between the front of a large building and abutting streets.
- C. The rear lot line shall not be less than thirty-five (35) feet where the façade faces adjacent to residential uses or a residential zone.
- D. The site design must provide a direct connection and safe street crossings to adjacent land uses. This may be accomplished in the utilization of a network of sidewalks and walkways.

- E. In no instance shall sidewalks be less than five 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 or stamped concrete in an effort to enhance safety and comfort as well as the aesthetics of the sidewalk.
- F. In order to preserve the width of the sidewalk, wheel stops 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.
- G. Internal pedestrian walkways shall connect, with the exterior sidewalks system connecting with the Veterans Parkway.
- H. Lighting shall not cause a nuisance due to light trespass, spill, glare, 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.
- I. Electrical service to any structure shall be underground.
- J. Signage shall be in conformance with Clarksville Zoning Ordinance Division 200, unless otherwise approved in the development plan review.
- K. Landscaping shall be in conformance with Clarksville Zoning Ordinance Division 180 unless otherwise approved in the development plan review.

Sec. 80-70 Assurances

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

- A. If assurances are required, the petitioner shall provide financial assurance for the satisfactory installation of all public facilities in the form of bonds, letter of credit, 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. 80-80 Building Permits

The Building Commissioner shall not issue a building permit for a VPCZ development until the Planning Department has approved the plans.

Sec. 80-90 Landscaping

See Division 180 - Landscape Regulations

Sec. 80-100 Lighting

See Division 190 – Lighting Regulations

Sec. 80-110 Signs

See Division 200 – Sign Regulations

Sec. 80-120 Parking Loading

See Division 195 – Off-Street Parking Regulations

Sec. 80-130 Assess Management Plan

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Sec. 85-10 Specific Purpose

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

Sec. 85-20 Land Use Classification

OPS uses shall be in accordance with Table 85-1, Land Use Classification. Additional LBCS may be included. See Division 225 - Special Exception.

Table 85-1. Land Use Classification*USES PERMITTED BY RIGHT*

LBCS - 2333 - Recreational goods rental - *Only the following are **not** permitted:*

- Beach chair rental
- Beach umbrella rental
- Exercise equipment rental
- Motorcycle rental
- Water ski equipment rental
- Snow ski equipment rental

LBCS - 5160 - Independent artist, writer, or performer

- This industry comprises independent (i.e., freelance) individuals primarily engaged in performing in artistic productions, creating artistic and cultural works or productions, or 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.

LBCS - 5370 - Fitness, recreational sports, gym, or athletic club,

- 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, but are not limited to:

- ❖ *Fitness clubs*
- ❖ *Gyms*
- ❖ *Archery and shooting ranges*
- ❖ *Horseback riding establishments*
- ❖ *Recreational ball parks and courts*

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.

LBCS - 5400 - Camps, camping, and related establishments

- 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.

Table 85-1. Land Use Classification*USES PERMITTED BY RIGHT*

LBCS - 5500 - Natural and other recreational parks

- 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.

Sec. 85-30 Building Permits

The Building Commissioner shall not issue a building permit for an OPS development until the Planning Department has approved the plans.

Sec. 85-40 Development Standards

Development standards shall be determined by the Technical Review Committee and Plan Commission in conjunction with the Clarksville Parks Department.

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Sec. 90-10 Specific Purpose

The purpose of this zone is to assure that future development is low-impact in nature and construction, and supports the historic significance and archaeological character of the zone. Land uses and development should contribute to the zone's use for recreation, parks, historic preservation, and heritage tourism.

Sec. 90-20 Land 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**

LBCS - 1310 - Bed and breakfast inn

LBCS - 2140 - Souvenir shops- *Only the following are permitted:*

- Souvenir shops

LBCS - 2142 - Art dealers, suppliers, sales and service - *Only the following are permitted:*

- Art galleries retailing art
- Statuary galleries, art, retail

LBCS - 2321 - Commercial property-related - *Only the following are permitted:*

- Dock and associated building rental or leasing

LBCS - 2332 - Leasing trucks, trailers, RV's, etc.- *Only the following are permitted:*

- Boat rental (except pleasure)
- Boat rental or leasing, commercial
- Camper rental
- Recreational trailer, rental

LBCS - 2416 - Research and development services (scientific, etc.) - *Only the following are permitted:*

- Archeological research and development services

LBCS - 4151 - Marine passenger transportation

- Establishments in this class provide water transportation for passengers, including scenic and sightseeing.

LBCS - 5110 - Theater, dance, or music establishment

- 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.

LBCS - 5160 - Independent artist, writer, or performer

Table 90-1. Land Use Classification

<i>USES PERMITTED BY RIGHT</i>	
	<ul style="list-style-type: none"> ➤ 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.
LBCS - 5210 - Museum	<ul style="list-style-type: none"> ➤ These establishments preserve and exhibit objects of historical, cultural, or educational value.
LBCS - 5220 - Historical or archeological institution	<ul style="list-style-type: none"> ➤ 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.
LBCS - 5360 - Marina or yachting club facility operators	<ul style="list-style-type: none"> ➤ 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.
LBCS - 5400 - Camps, camping, and related establishments	<ul style="list-style-type: none"> ➤ 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.
LBCS - 5500 - Natural and other recreational parks	<ul style="list-style-type: none"> ➤ 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, and the site dimension to distinguish between community parks and state parks, etc.
LBCS - 6100 - Educational services	<ul style="list-style-type: none"> ➤ The establishments in this category offer teaching and learning. Educational services may be provided in a variety way (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.

Sec. 90-30 Development Plan

A development plan is required for this zone. The applicant shall submit a development plan meeting the requirements of Article 4, Division 170 of this 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, the 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, Planning Department, 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 of the National Historic Preservation Act of 1966 Review.

- E. The Indiana State Historic Preservation Officer (SHPO) 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.

Sec. 90-50 Building Permits

The Building Commissioner shall not issue a building permit for an OPS development until the Planning Department has approved the plans.

Sec. 90-60 Landscaping

See Division 180 - Landscape Regulations

Sec. 90-70 Lighting

See Division 190 – Lighting Regulations

Sec. 90-80 Signs

See Division 200 – Sign Regulations

Sec. 90-90 Parking

See Division 195 – Off-Street Parking and Loading Regulations

Sec. 90-100 Access Management Plan

See Division 155 - Access Management Plan

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Sec. 95-10 Specific Purpose

The purpose of a Planned Unit Development (PUD) District is to maintain the essential character of an area; encourage creativity and innovation in the design of developments; provide for more efficient use of land; permit special consideration of property with outstanding natural or topographical features; facilitate use of the most appropriate construction techniques in the development of structures and land; and, as may be appropriate, provide for any individual land use not otherwise specified elsewhere in this Ordinance. A PUD District encourages open space design, promotes high standards in design and construction, and furthers the purposes of the Comprehensive Plan.

Sec. 95-20 Permitted Uses, Development Standards, and Area Requirements**A. Permitted Uses**

1. Primary uses in the PUD District shall be any use permitted by right in the zoning ordinance and specified in the PUD District Ordinance, either in text form or as noted in the preliminary plan filed with the petition for zone map change.
2. Accessory uses, home occupations, or temporary uses shall comply with Article 4 Division 157 unless otherwise specified in the petition for a zone map change to the PUD District, and incorporated into the PUD District Ordinance. Accessory uses shall be permitted in a manner customarily subordinate in size and associated with a primary use specified in the PUD District ordinance.

B. Development Standards

Development standards applicable to a PUD shall be those standards specified in the PUD District Ordinance establishing such district, either in text form or as noted on the preliminary plan filed with the petition for a zone map change. Every

petition for zone map change to the PUD District shall specify development standards applicable to each permitted use in the PUD. At a minimum, the PUD shall adopt or include a variation of each development standard. In any case in which an applicable development standard has not been specified in the petition for zone map change to the PUD District, the development standard shall be that specified in the zoning ordinance.

C. Area Requirements

There shall be no minimum or maximum area requirement for the filing of a petition for a zone map change to the PUD District.

Sec. 95-30 Procedure for Approval of a Planned Unit Development

The complete review and approval process for a Planned Unit Development consists of three (3) elements:

1. Concept Plan Review
2. Zone Map Change and Preliminary Plan Approval
3. Secondary Approval

Sec. 95-40 Filing of a Concept Plan for Review by the TRC

- A. The petitioner shall submit a concept plan, which may be supplemented with a written description of the proposed PUD, for review by the TRC prior to filing a petition for a zone map change to the PUD District.
- B. The TRC shall review the proposed concept plan, taking into consideration information regarding the terrain and natural features of the site. The review by the TRC may include, but shall not be limited to, the following:
 1. Designated real property proposed to be a PUD district
 2. Compatibility of design with the essential character of the area
 3. Street and pedestrian connectivity with the surrounding neighborhood
 4. Adjoining land uses
 5. Proposed uses
 6. Limitations or constraints applicable to the district
 7. Protection of unique topographical features on the site, including, but not limited to, slopes, streams, natural water features, floodways, and floodplains
 8. Protection and preservation of wooded areas, individual trees of significant size, wetlands, or other environmentally sensitive features
 9. Development of common areas, open space, or recreational areas (passive or active) accessible to the residents or users of the PUD by way of sidewalks, footpaths, walkways/bikeways, or a combination thereof
 10. A more efficient use of the land including the reduction of land area disturbed for utility lines and motor vehicle access
 11. The creation of innovative residential and business environments
 12. Minimize the alteration of the natural site features through the design and situation of individual lots, streets, and buildings
 13. Diversity and originality in lot layout
 14. Utilization of individual building designs which achieve an enhanced relationship between the development and the land
 15. Relationship to surrounding properties and neighborhood

The Staff shall notify the petitioner of any TRC comments related to the proposed concept plan submitted for review. The Petitioner may then: (i) modify the proposed concept plan and resubmit a revised concept plan for another review by the TRC; or, (ii) file a petition for zone map change.

The TRC's review of the proposed concept plan or the TRC's comments shall not be considered a denial, approval, or decision concerning the proposed concept plan.

Sec. 95-50 Filing Petition for Zone Map Change

A. A PUD ordinance shall employ:

1. Written text and plan of drawing
2. A plan of drawing
 - a. **Petition** – A PUD District Ordinance petition shall contain a preliminary plan that satisfies the requirements below and shall specify, in either general terms or detailed terms, the permitted uses and development standards that will apply to the real property included in the petition.
 - b. **Detailed Terms** – A preliminary plan which includes a detailed description of all development requirements that apply to the proposed development, shall comply with Article 4 Division 170, and be deemed to have expressed the development requirements in detail.
 - c. **General Terms** – All preliminary plans or submittals which do not comply with the requirements of Article 4 Division 170 shall be deemed to have expressed the development requirements that apply to the proposed PUD in general terms only, and shall require the secondary approval prior to the issuance of an improvement location permit.

Sec. 95-60 Preliminary Plan

A preliminary plan shall satisfy the following requirements and include a drawing, map, or plan of the overall development which:

- A. Depicts the location of proposed land uses and maximum densities
- B. Expresses development standards in either general terms or detailed terms
- C. Identifies any limitations or constraints applicable to the district
- D. Proposed layout of streets, open space, and other basic elements of the development
- E. Proposals for handling traffic, parking, sewage disposal, drainage, and other pertinent development features and requirements
- F. The current zoning of the property and adjacent land
- G. A proposed breakdown of sections to be contained in the overall development, along with a statement as to the order and timing of development
- H. All public and private streets and pedestrian ways within two-hundred (200) feet of the site
- I. North arrow, written and graphic scale, and general location map
- J. Percentage of the site devoted to open space
- K. The Preliminary Plan shall be drawn to a scale of not more than 1"=100 and shall be on 24" X 36" plan sheets

Sec. 95-70 Determination by the Plan Commission

In its determination of the proposed PUD and whether to recommend approval of the zone map change to the Town Council, the Plan Commission shall pay reasonable regard to the extent to which the proposal:

- A. Accomplishes the purposes set forth in this division
- B. Proposed uses or a range of uses
- C. Meets specific development requirements
- D. Complies with the comprehensive plan
- E. Compatibility with the neighborhood

- F. Provides for the protection or provision of site features
- G. Specific plan documentation and supporting information, requirements, and procedures established in the PUD that are:
 - 1. Consistent with IC 36-7-4-1500
 - 2. Govern the establishment and administration of the PUD
- H. Specific limitations applicable to the PUD
- I. Proposed covenants, if any

Sec. 95-80 Preliminary Plan Approval

- A. If the Preliminary Plan expresses development standards in general terms, Secondary Approval shall be required prior to the issuance of an improvement location permit for any development pursuant to the PUD District Ordinance.
- B. If the Preliminary Plan expresses development standards in detailed terms, as described above, the Petitioner may also request secondary approval in connection with the approval of the zone map change to the PUD District, provided that any such approval shall be conditioned upon the Town Council adopting the zone map change to the PUD District. The requirements for Secondary Approval are set forth in Sec. 95-100. If the preliminary plan expresses the development standards in detailed terms, as described above, the PUD District Ordinance must specify any plan documentation or supporting information that must be supplied before an improvement location permit may be issued for development of real property in the PUD district.

Sec. 95-90 Commitments, Conditions, or Surety**A. Commitments**

Commitments may be permitted or required by the owner of the real property in connection with: (i) a zone map change for a PUD District; (ii) a secondary approval of a PUD; or, (iii) a modification of permitted uses or development requirements of a PUD.

Commitments shall comply with Article 5 Division 220 - Commitments.

B. Conditions

Conditions may be imposed on the approval of a PUD District, which are reasonably necessary to assure compliance with the permitted use, development standards, and minimum requirements of the PUD District Ordinance.

C. Surety

Bonds or other written assurance may be required which are reasonably necessary to guarantee the timely completion of a public improvement required by the proposed PUD District Ordinance. Such bond or other written assurance shall be in an amount satisfactory to the Plan Commission and shall run to the Town Council.

Sec. 95-100 Secondary Approval

- A. Secondary Approval Requirement - Secondary approval is required of the PUD District as a prerequisite to the issuance of an improvement location permit for development of any real property or use in such district.
- B. Secondary Approval Authority – Secondary approval authority is hereby delegated to the Plan Commission. The Plan Commission shall review the proposed secondary approval application and either:
 - 1. Render a decision of approval or denial concerning the secondary approval; or
 - 2. Request additional information from the applicant
- C. Appeal of Decision - Any decision of the Plan Commission under this Article may be appealed by any interested party, as defined in Article 1 Division 15 of this zoning ordinance, to the Town Council.
- D. Proceedings / Notice – The proceedings required for secondary approval shall be the same as those required by this Zoning Ordinance for the review of a development plan prepared to meet Article 4 Division 170, and issuance of an improvement location permit. Public hearing notices shall comply with Article 5 Division 245.

- E. Expiration of Secondary Approval – A secondary approval shall expire one (1) year after the date of final approval unless an improvement location permit has been issued for the use or development of the PUD. Once a secondary approval has expired for any portion of the PUD, no development shall occur within the expired portions of the PUD until a new secondary approval has been approved.

Sec. 95-110 Supporting Documentation

Before the issuance of secondary approval, the petitioner must file an application requesting secondary approval and submit a development plan in compliance with Article 4 Division 170 and the following:

- A. Layout, number, and dimension of all lots and out lots with zoning setback lines
- B. Location, delineation, and elevation of all floodway and floodway fringe areas within the boundaries of the PUD
- C. Topographic contour every two (2) feet superimposed upon the proposed site plan portion of the site covered by the submitted plans
- D. Proposed elevation of all buildings within the proposed development
- E. All on-site and off-site improvements to the street system
- F. Lighting plan
- G. Landscape plan
- H. Sidewalk plan or alternate plan for walkways or other pedestrian ways
- I. Material board and color renderings of the elevations of structures
- J. Plans and specifications for all off-site and on-site infrastructure improvements required or proposed in the PUD
- K. Areas reserved for park, conservation area, wetland, common area, lake, or similar uses
- L. Limitations of the PUD
- M. Proposed covenants, conditions, and restrictions
- N. Any other information specified elsewhere in this Ordinance as a prerequisite to the issuance of an improvement location permit.
- O. The Plan Commission, during Secondary Approval review, shall specify any additional plan documentation or supporting information beyond that required by this Section and Article 4 Division 170, which must be supplied before an improvement location permit may be issued for the development of any use or property located in the PUD District.

Sec. 95-120 Required Findings – The Plan Commission

The Plan Commission may issue a Secondary Approval only upon finding that:

- A. The plans submitted for secondary approval satisfy the permitted uses and development standards specified in the PUD District Ordinance establishing the PUD District;
- B. The plans submitted for secondary approval accomplish the intent established in the Preliminary Plan
- C. The plans submitted for secondary approval provide for the protection or provision of the site features and amenities outlined in the Concept Plan
- D. The plan submitted for secondary review shall comply with Article 4 Division 170
- E. Written findings for each determination shall be prepared to approve or disapprove a secondary approval. If the Plan Commission makes a determination regarding a secondary approval, the written findings shall be signed by the President of the Plan Commission.
- F. To be used in its continuing administration of the PUD Secondary Approval and written findings shall be retained in the office of the Plan Commission.

Sec. 95-130 Modification of Preliminary Plan or Secondary Approval

Minor modifications to a Preliminary Plan or Secondary Approval, which has already received approval from the Plan Commission, may be authorized by the TRC without a public hearing in its continuing administration of the PUD, provided the following criteria are met:

- A. The change is necessary because of natural features of the subject property not foreseen by the applicant or the Town prior to the approval of the development plan.
- B. The change will not have the effect of reducing any area of landscaping, open space, natural area, or parking by more than ten percent (10%).
- C. The change will not have the effect of increasing or decreasing the density of the development plan by more than five percent (5%).
- D. The change will not increase or decrease square footage that is more than twenty percent (20%) of the existing gross square footage of the development plan.
- E. The change will not result in any structure, circulation, or parking area being moved significantly in any direction.
- F. The change will not reduce any approved setback by more than ten percent (10%).
- G. The change will not result in an increase in the height of any structure.
- H. The change does not result in any significant adverse impacts beyond the site.

If the Plan Commission determines that the proposed modification is of such a nature or magnitude as to adversely impact the purpose or intent of the overall PUD development, or if the proposed modification exceeds the above, the Petitioner shall be required to file a new application for zone map change.

Sec. 95-140 Subdivision Plat Approval

The process for the approval and recording of a subdivision plat for a subdivision development in a PUD shall be in the same manner as any other subdivision within the Town of Clarksville, with any additional requirements or commitments entered into in connection with the approval of the Preliminary Plan. The approval and recording of a subdivision plat are required prior to the issuance of an improvement location permit for any improvements on a subdivision lot.

Sec. 95-150 Maintenance of Common Open Space

In PUD Districts having open space, common areas, or recreation areas, the petitioner shall record covenants as assurance for permanent dedication and continuous maintenance. The covenants shall be made in accordance with the approved Preliminary Plan and Secondary Approval. The covenants shall also be incorporated into any subdivision plat that is recorded in the Office of the Clark County Recorder. Such open space, common areas, or recreation areas shall perpetually run with the PUD, and shall not be developed or separated from the overall development of the PUD.

Sec. 95-160 Appeals of Plan Commission Decisions

Any order, requirement, decision, or determination by the Plan Commission regarding a secondary approval, or a modification of a preliminary plan or secondary approval, may be appealed to the Town Council by any interested party, as defined in Article 1 Division 15 of the zoning ordinance. The procedure for an appeal is as follows:

- A. Every appeal shall be filed within thirty (30) days from the decision, order, requirement, or determination.
- B. All appeals shall be determined by the Town Council at a public hearing for which notice has been provided as follows:
 - 1. A remonstrator shall send notice to the owner of the property or use, the applicant for the secondary approval, or a modification of a preliminary plan or secondary approval, and all abutting property owners;
 - 2. The notice shall be sent as provided by Article 5 Division 245 of the zoning ordinance.
- C. The Town Council hearing shall be de novo, in the same manner as though the application was originally filed with the Town Council.
- D. The decision of the Town Council with respect to a secondary approval, or a modification of a preliminary plan or secondary approval, shall be a final decision that may be reviewed only by certiorari procedures as provided in I.C. 36-7-4-1016.

Sec. 95-170 Gutford Station PUD**A. Specific Purposes**

The purposes of the Gutford Station PUD are the following:

1. To promote good design, offer two housing types, and neighborhood business opportunities
2. Assist with the provision of a traffic control light to avoid congestion
3. Maintain a high quality residential environment, and protect the privacy of residence of the development

B. Property

The Gutford Station PUD encompasses 16.766 acres, at the southwest corner of the intersection of Gutford Road and Blackiston Mill Road.

C. Land Use Classification

Gutford Station uses shall be in accordance with Table 95-170-1, Land Use Classification.

Table 95-170-1. Land Use Classification

<i>USES PERMITTED BY RIGHT</i>
Uses permitted by right in a B-1 zone district
LBCS - 1100 - Detached units - Detached single-family residential structures and site condominiums
LBCS -1122 - Zero lot line single family attached - Patio Homes and Traditional Condo only

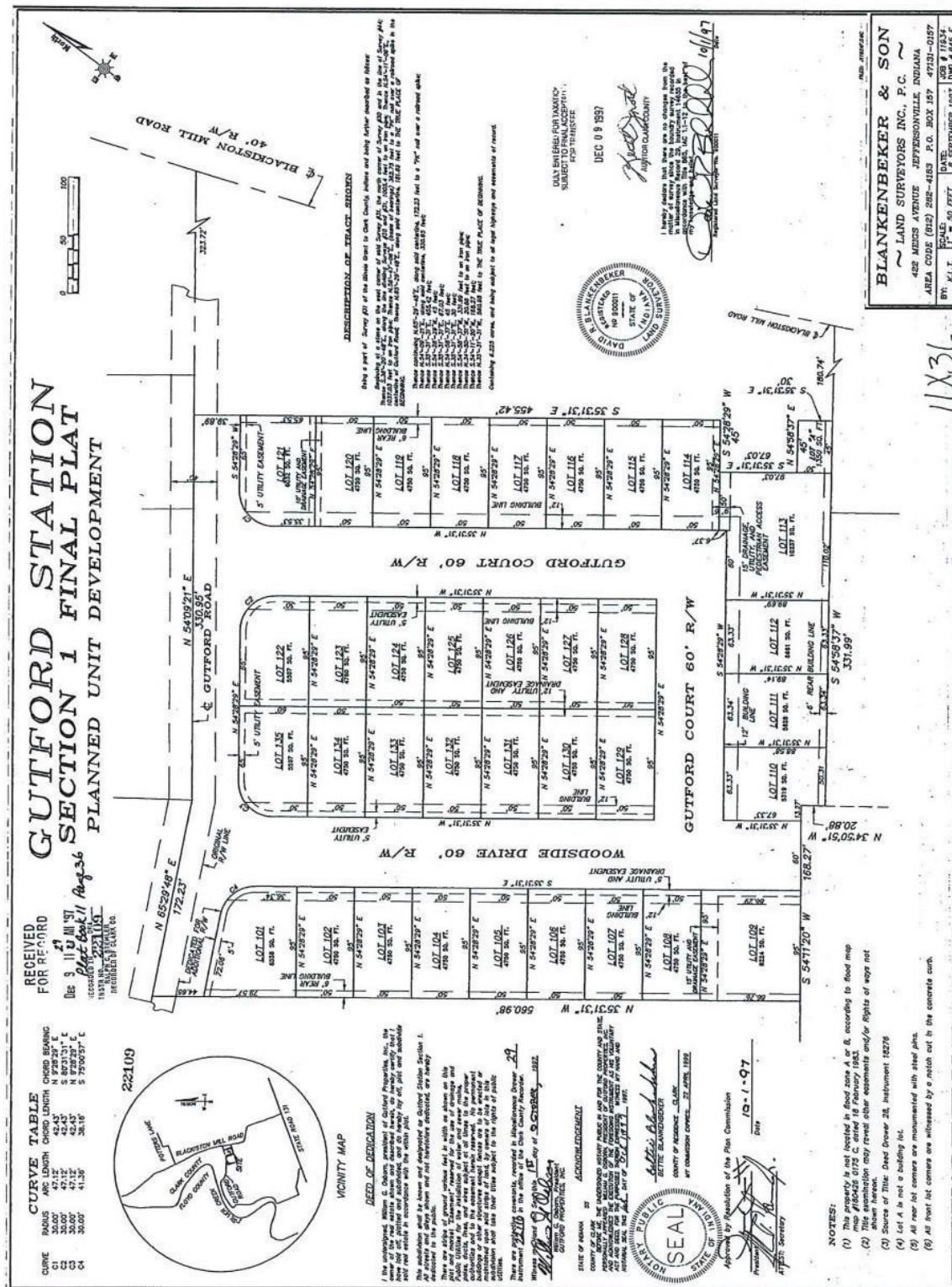
D. Plan Documentation

See Drawings 95-170-1, 95-170-2 and 95-170-3.

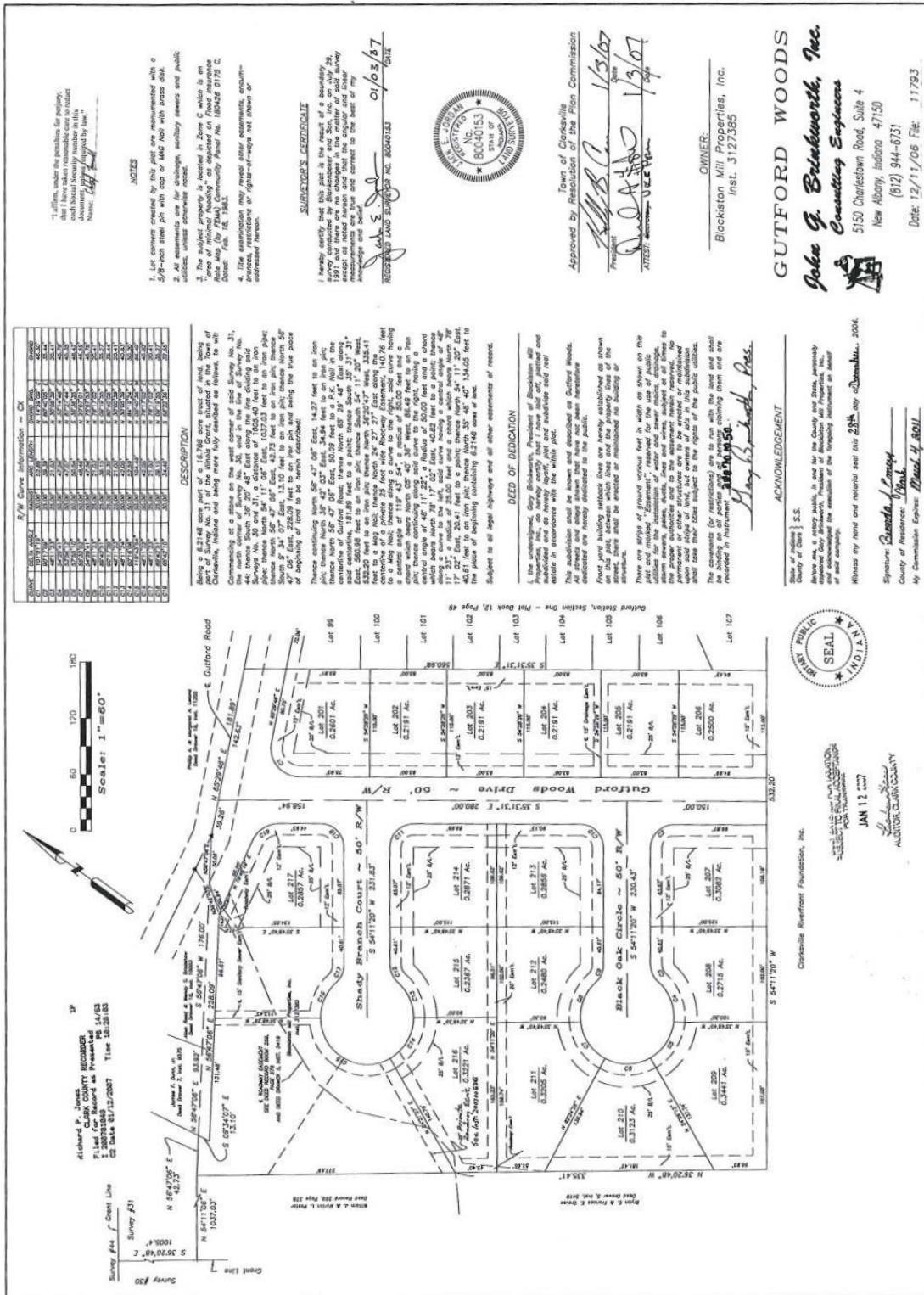
E. Development Standards

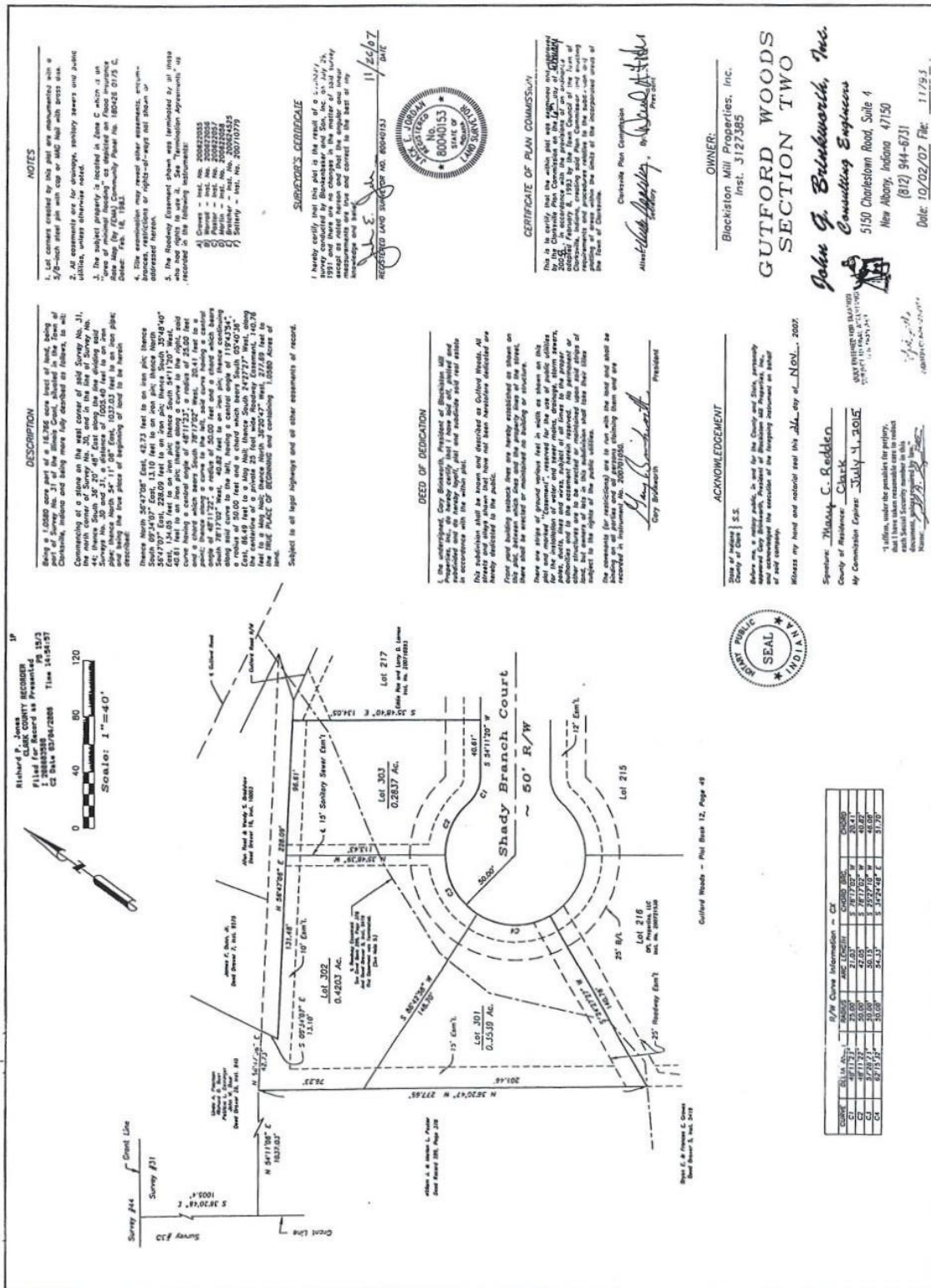
1. Development standards are recorded in the Clark County Recorder's office in Miscellaneous Record draw 30, instrument 2072.
2. Covenants for Gutford Station Section One are recorded in Miscellaneous Record 24 instrument 22110.

Drawing 95-170- 1



Drawing 95-170-2





Sec. 95-180 Eagle Ridge PUD**A. Specific Purposes**

The purposes of the Eagle Ridge PUD are the following:

1. To promote affordable housing exhibiting good design
2. Maintain a high quality residential environment

B. Property

The property is located on Gutford Road, near Blackiston Mill Road, and encompasses 2.44 acres. The streets are private, as is the green space and detention basin.

C. Land Use Classification

Eagle Ridge uses shall be in accordance with Table 95-180-1, Land Use Classification.

Table 95-180-1. Land Use Classification
<i>USES PERMITTED BY RIGHT</i>
LBCS - 1100 - Detached units - Detached, single-family residential structures and traditional condominiums
LBCS - 1120 - Attached units - 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 the development plan
LBCS - 1121 - Duplex structures – are generally divided vertically, and each unit has a separate entrance from the outside or through a common vestibule
LBCS - 1122 - Zero lot line, single-family attached - patio homes and traditional condominiums only

D. Plan Documentation

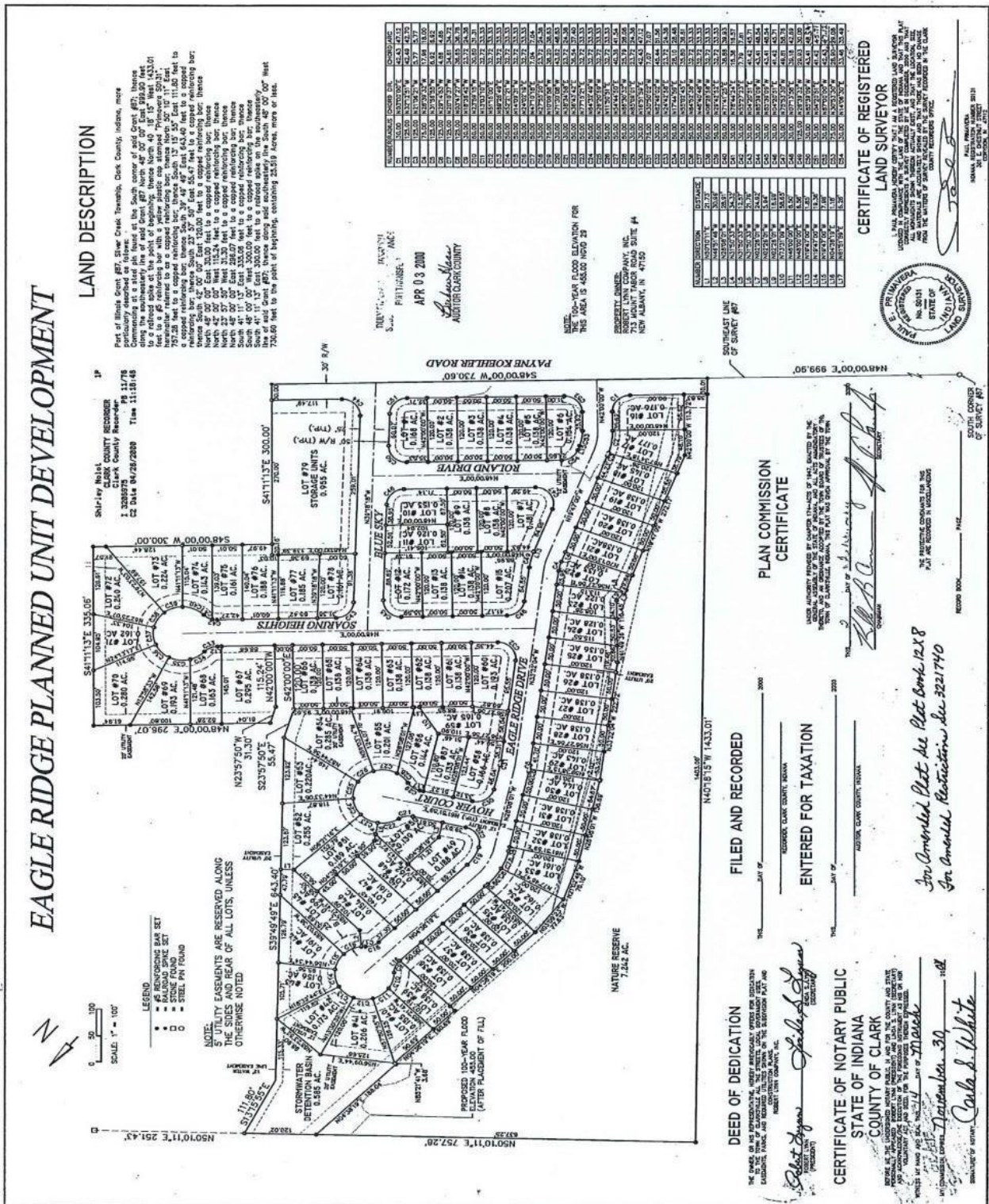
See Drawing 95-180-1.

E. Development Standards

Development standards shall be those established in the R-2 zone district, as shown in table 95-180-2.

Table 95-180-2. Dimensional Development Standards		
DIMENSION	MEASUREMENT	
Residential Use		
Minimum lot area for single-family detached dwelling unit	7,260 square feet	
Minimum lot area per unit two-family duplex	3,630 square feet per unit	
Minimum lot width	70 feet	
Maximum lot coverage	35%	
Minimum depth of front yard	25 feet	
Minimum depth of rear yard	20 feet	
Minimum width of each side yard	5 feet	
Maximum height	35 feet	
Maximum dwellings per acre for single-family dwelling units	5	
Maximum dwellings per acre for two-family dwelling units	11	
Minimum floor area of living space	Single-family dwelling Duplex	1,200 square feet 1,000 square feet
Minimum usable open space per dwelling unit	600 square feet per dwelling unit	
Number of parking spaces	2 per dwelling unit	

Drawing 95-180-1



Sec. 95-190 Major Addition PUD**A. Specific Purposes**

The purposes of the Major Addition PUD are the following:

1. To promote affordable housing exhibiting good design
2. Maintain a high quality residential environment

B. Property

The property is located off of Blackiston View Drive near Blackiston Mill Road, and encompasses 2.44 acres. The streets are private, as is the green space and detention basin.

C. Land Use Classification

Major Addition PUD uses shall be in accordance with Table 95-190-1 Land Use Classification.

Table 95-190-1. Land Use Classification
<i>USES PERMITTED BY RIGHT</i>
LBCS - 1100 - Detached units - Detached, single-family residential structures and traditional condominiums
LBCS - 1120 - Attached units - 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 the development plan.
LBCS - 1121 - Duplex structures - A duplex refers to a structure used for residential purposes and consisting of two living units with a common wall.
LBCS - 1122 - Zero lot line, single-family attached-patio homes and traditional condominiums only

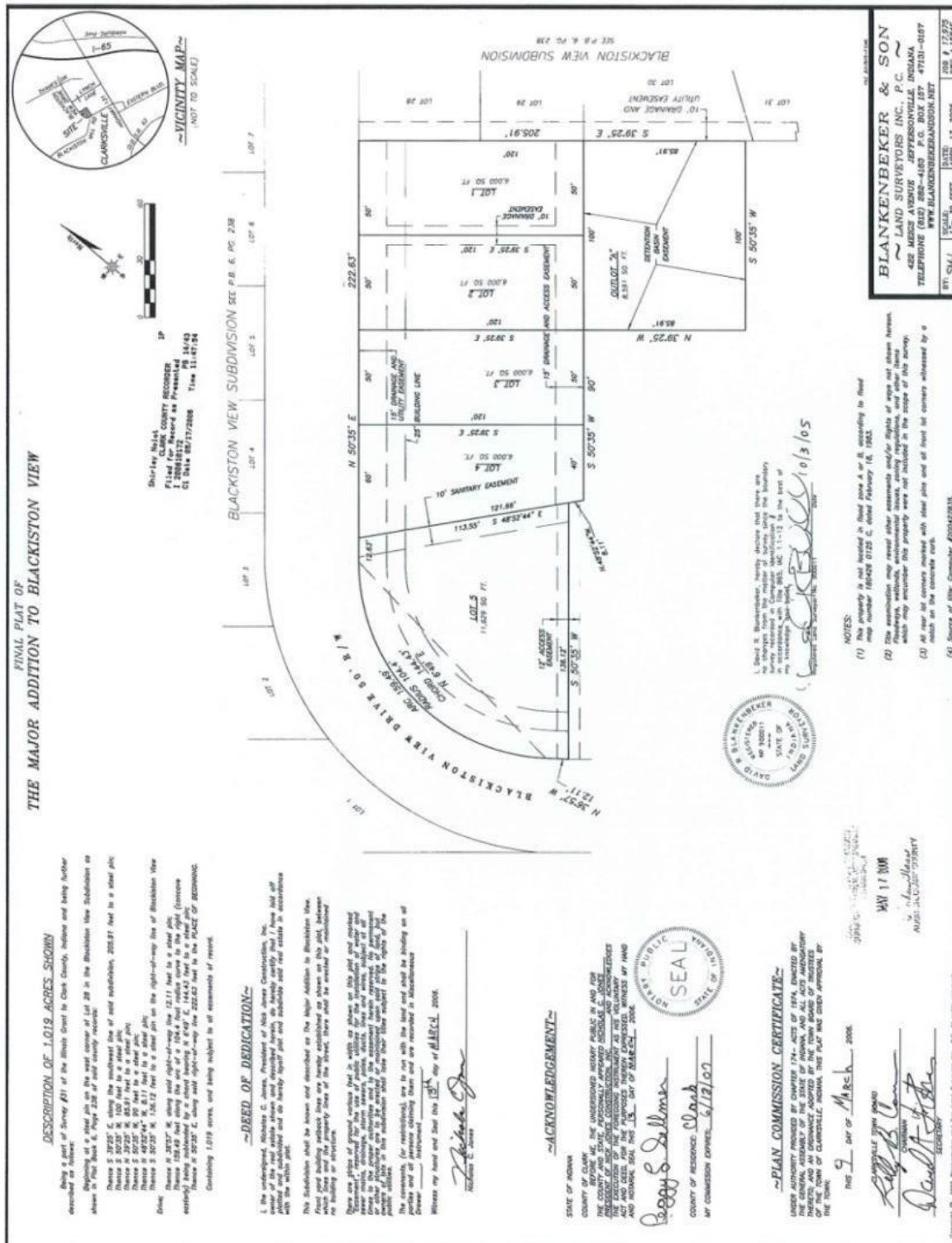
D. Plan Documentation

See Drawings 95-190-1 and 95-190-2.

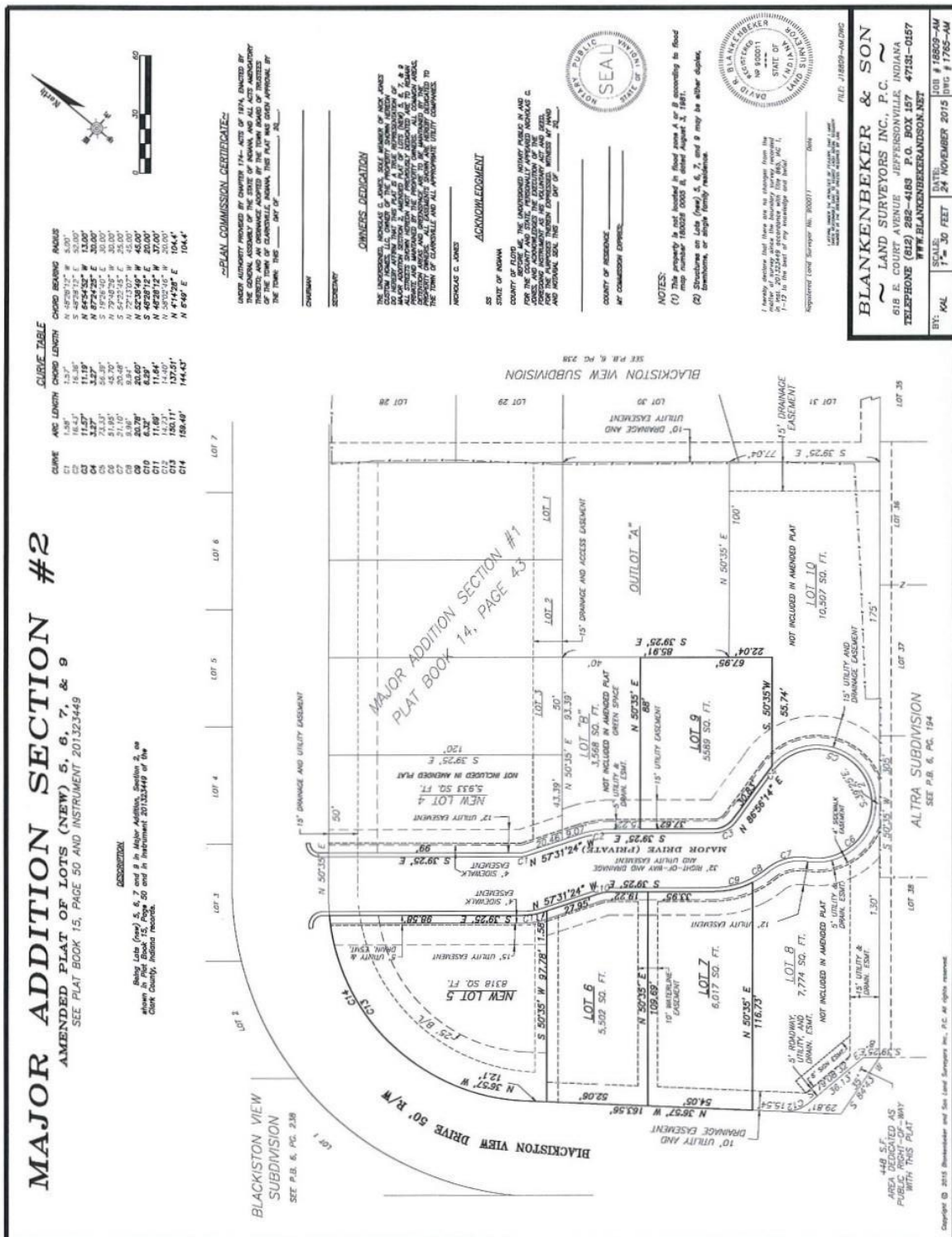
E. Development Standards

Development standards for Major Addition PUD shall be in accordance with those shown on the PUD development plan and listed in the "Amendment to the Amended and Restated Protective Covenants for Major Addition to Blackiston View and By-laws of Major Addition Homeowner's Association."

Drawing 95-190- 1



Drawing 95-190-2



Sec. 95-200 Clarksville Public Works Department PUD**A. Specific Purpose**

The purpose of the Clarksville Public Works Department PUD is to group multiple Town departments and functions to serve the Town in a more cost-effective manner.

B. Property

The property is located off of Harrison Avenue, and contains a total of 3.09 acres.

C. Land Use Classification

Clarksville Public Works Department PUD uses shall be in accordance with Table 95-200–1, Land Use Classification.

Table 95-200-1. Land Use Classification***USES PERMITTED BY RIGHT***

LBCS - 4343 - Solid waste collection - Only the following are permitted:

- Garbage collection and Garbage pick-up services

LBCS - 6210 - Legislative and Executive Functions - Only the following are permitted:

- Transportation departments, non-operating
- Transportation regulatory agencies
- Transportation safety programs, government
- Water control and quality program administration

D. Development Standards

Development standards for the Clarksville Public Works PUD shall be in accordance with those shown on the PUD development plan.

Sec. 95-210 Eastern Commons PUD**A. Specific Purposes**

The purpose of the Eastern Commons PUD is to encourage creativity in development standards.

B. Property

The property is located on Eastern Boulevard, between Little League Boulevard and Jane Sarles Lane, and contains a total of approximately 31.53 acres.

C. Land Use Classification

Uses permitted in Eastern Commons shall be in accordance with Table 95-210–1, Land Use Classification.

Table 95-210-1. - Land Use Classification***USES PERMITTED BY RIGHT***

Uses permitted by right in the GO and EBCZ

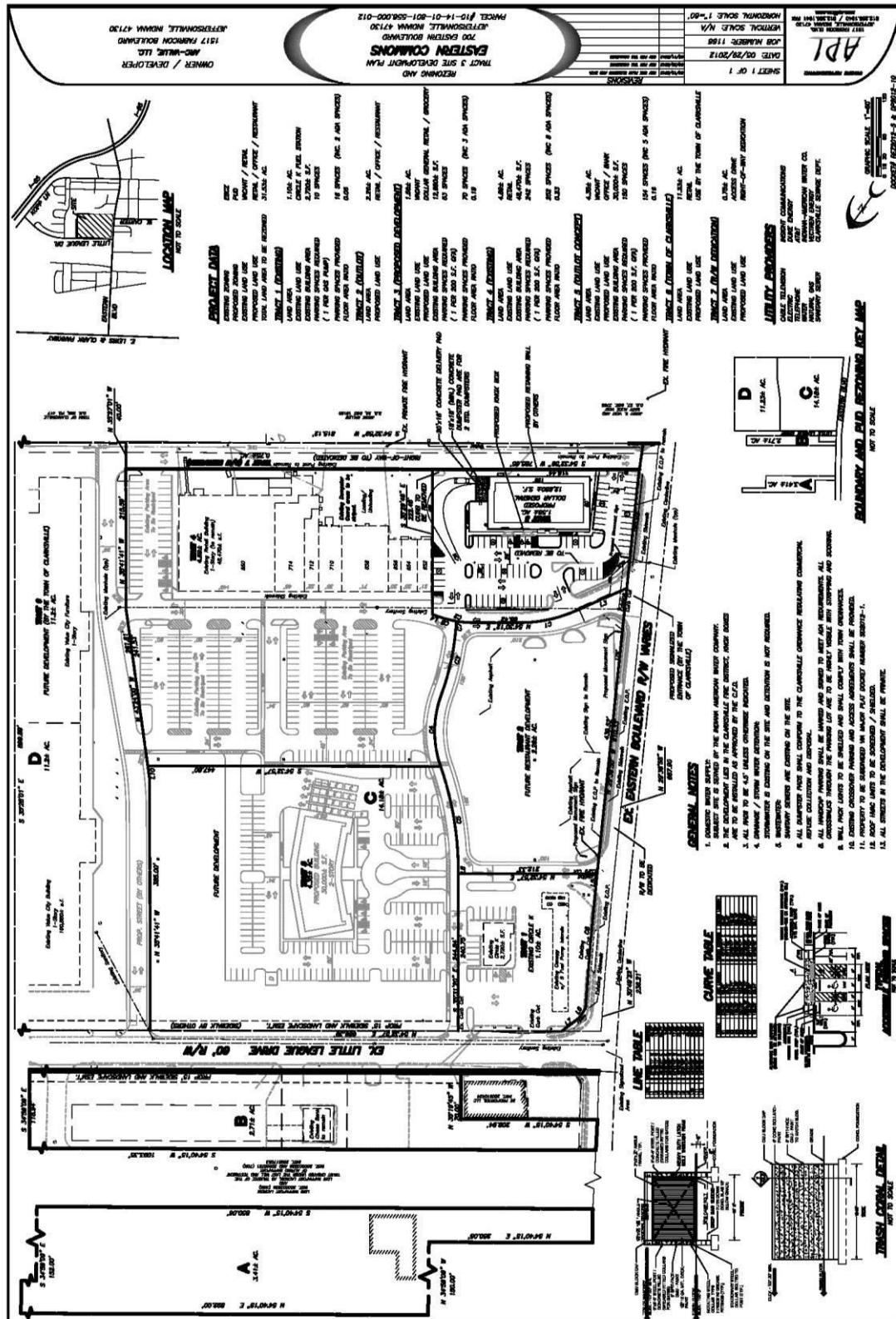
D. Plan Documentation

See Drawings 95-210-1 and 95-210-2.

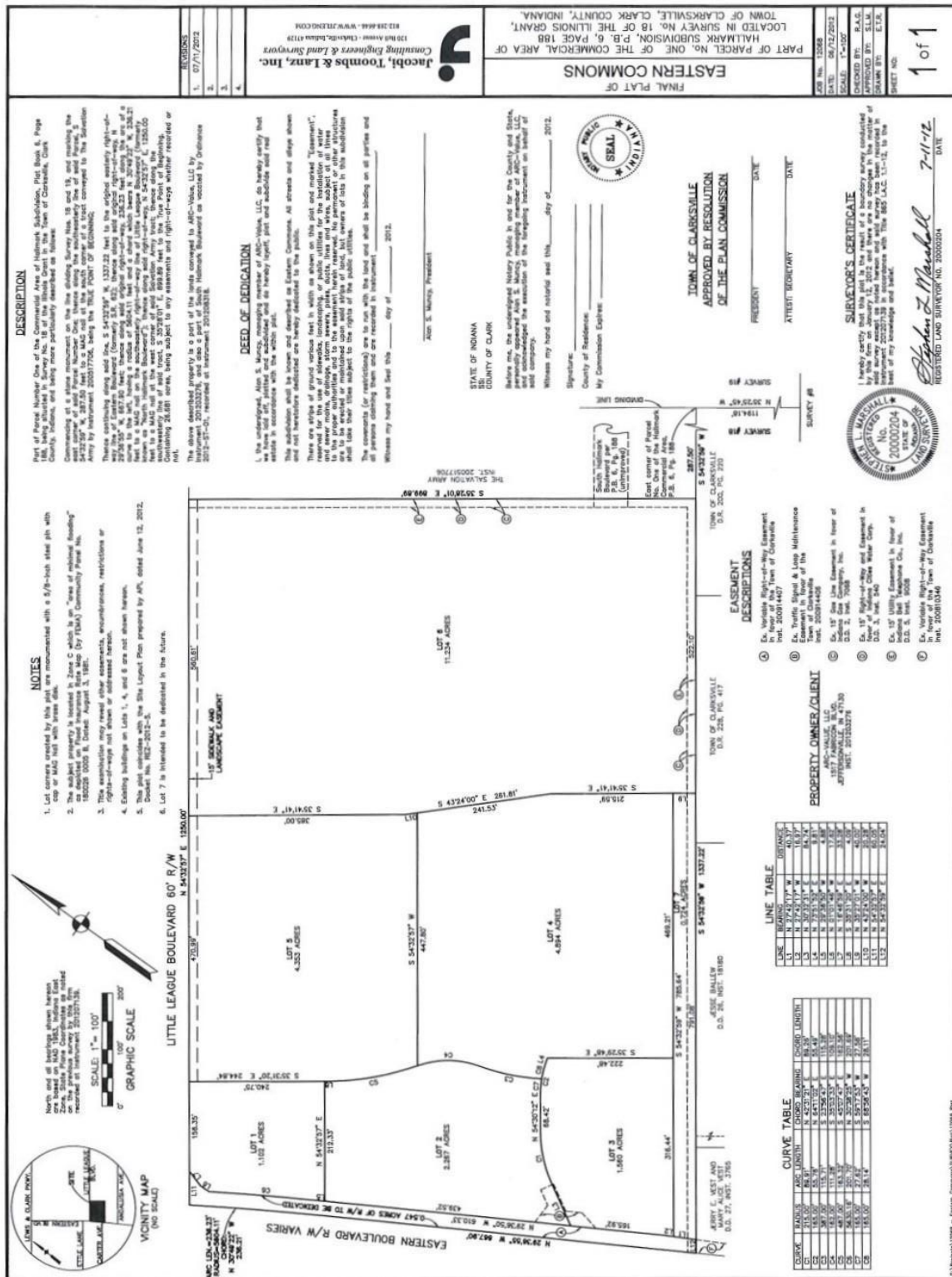
E. Development Standards

Development standards for Eastern Commons PUD shall be in accordance with those shown on the PUD development plan.

Drawing 95-210-1



Drawing 95-210-2



Sec. 95-220 Disponett PUD**A. Specific Purpose**

The Purpose of the Disponett PUD is to:

1. Promote good design through the renovation of an under-used building and parcel of property
2. Respect existing, adjoining properties and neighborhoods
3. Maintain the residential character of the architecture while conducting a low-profile business

B. Property

The Disponett PUD encompasses all the land commonly known as 124 W. Lewis and Clark Parkway, and is .

C. Land Use Classification

Disponett PUD uses shall be in accordance with Table 95-220–1, Land Use Classification.

Table 95-220-1. Land Use Classification

USES PERMITTED BY RIGHT

LBCS - 2414 - Graphic, industrial, and interior design services - *Only the following are permitted:*

- Jewelry design services

Establishments in this category provide specialized design services (except architectural, engineering, and computer systems design).

LBCS - 2133 - Clothing, jewelry, luggage, shoes, etc. - *Only the following are permitted:*

- Jewelry stores, costume
- Jewelry stores, precious

This class includes establishments primarily engaged in retailing clothing, footwear, jewelry, sterling and plated silverware, watches and clocks, luggage and leather goods, and sewing supplies. Also included in this category are establishments retailing these new products in combination with lapidary work and repair services.

D. Plan Documentation

See drawings 95-220-1 and 95-220-2.

E. Development Standards

1. Setbacks
 - a. Setbacks shall be as established by the existing building.
 - b. Any new structure shall be at least ten (10) feet from another primary or accessory structure.
2. Accessory Uses and Structures

Uses typically associated with a permitted use may be an accessory to the primary use in conformance with Article 4 Section 157.

3. Lot Area Coverage

Lot area coverage shall not exceed 50%.

4. Height

The height of any building shall not exceed the height of the existing building.

5. Operation and Storage

All operations shall be completely contained within a building. All storage shall be within a building or completely concealed from public view.

6. Waste Material or Refuse

No waste material or refuse shall be dumped upon, or permitted to remain upon, any part of the property. All refuse enclosures shall comply with the Commercial Refuse Ordinance of Clarksville.

7. HVAC and Exterior Equipment

HVAC units and exterior equipment shall be concealed from public view.

8. Parking

Parking shall be two spaces for each 200 square feet of floor area.

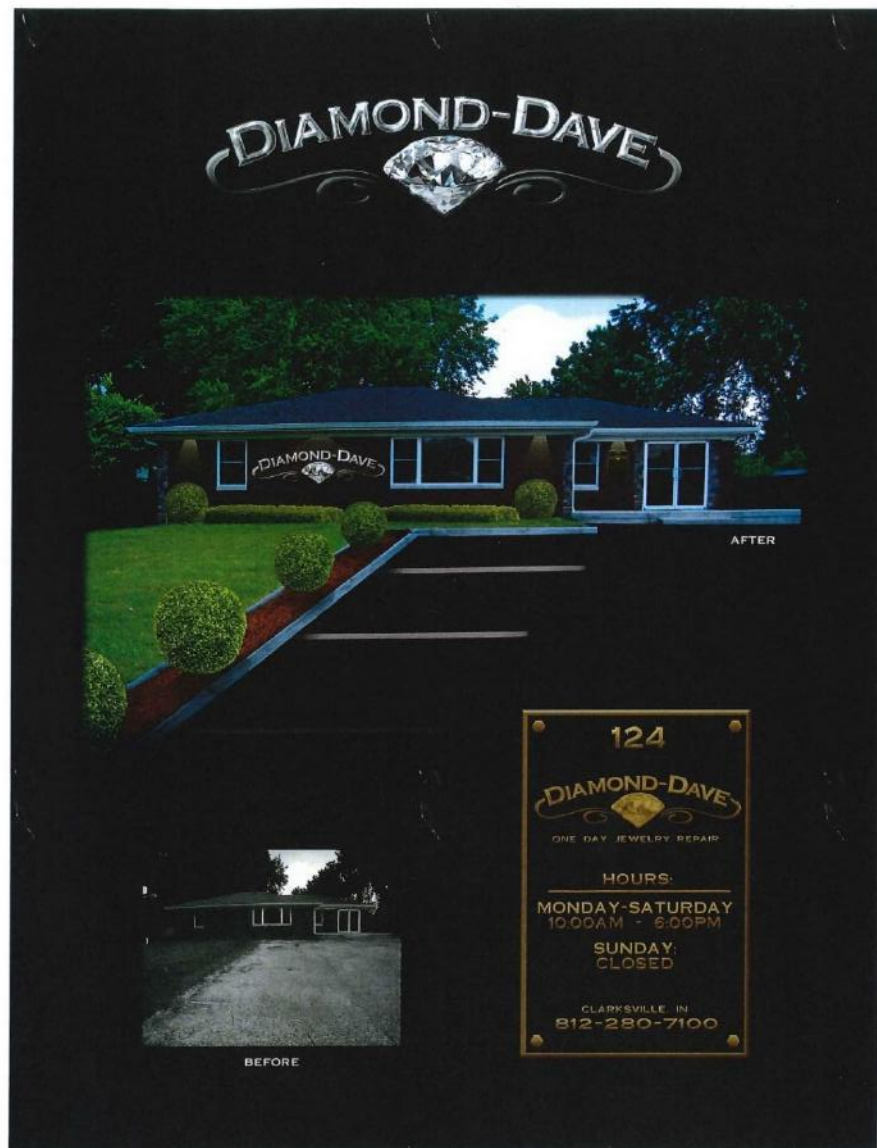
9. Landscaping

Landscaping shall comply with Article 4 Division 180.

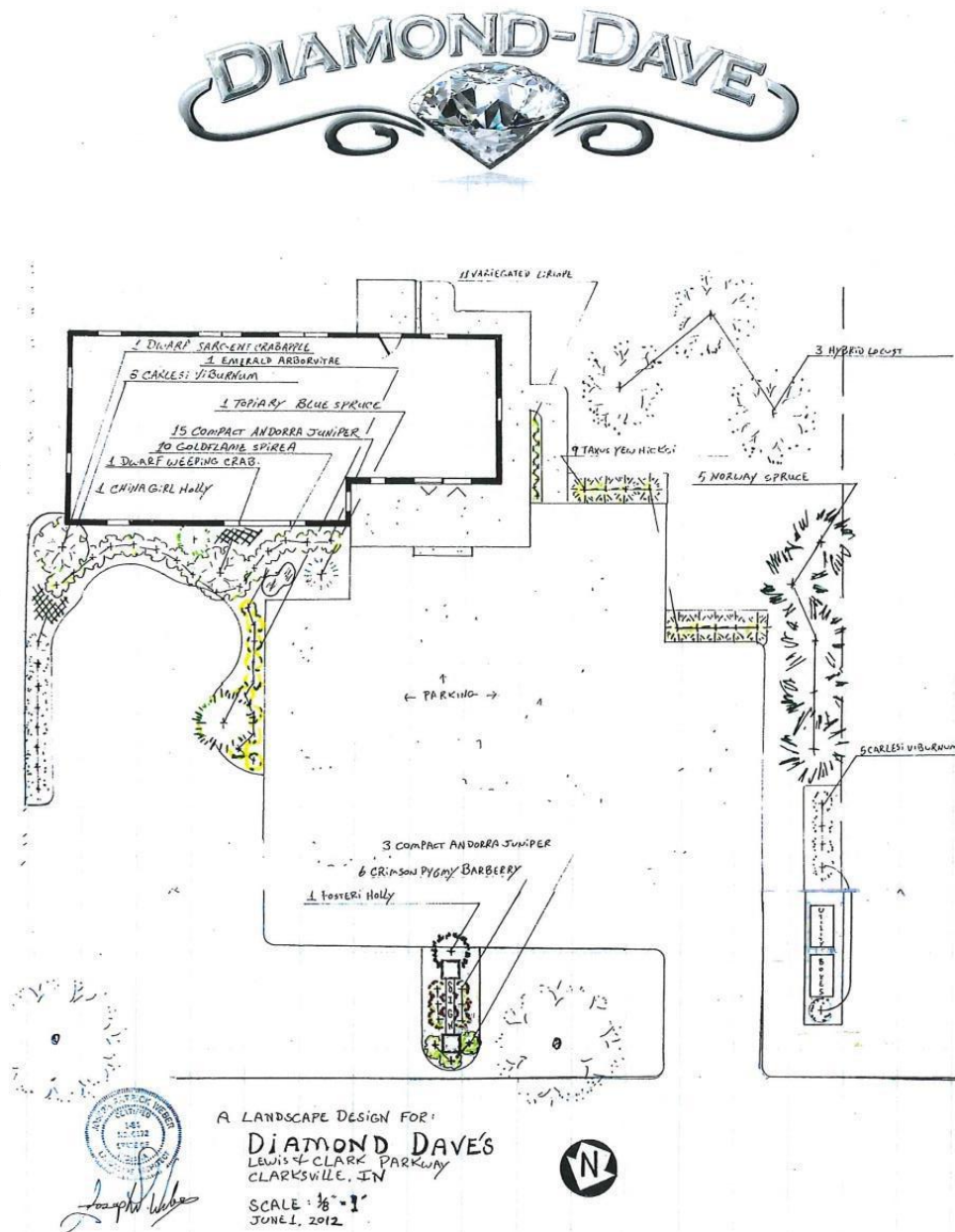
10. Lighting

Lighting shall comply with Article 4 Division 190.

Drawing 95-220-1



Drawing 95-220- 2



A. Specific Purposes

The amended purpose of the Village of Waterford PUD is to provide zero lot line, attached dwelling units.

B. Property

The property is located off of Potter Lane and contains a total of 13.46 acres.

C. Land Use Classification

Village of Waterford PUD uses shall be in accordance with Table 95-230-1, Land Use Classification.

Table 95-230-1. Land Use Classification
<i>USES PERMITTED BY RIGHT</i>
LBCS - 1122 - Zero lot line, single-family, attached units

D. Plan Documentation

See Drawings 95-230-1 and 95-230-2.

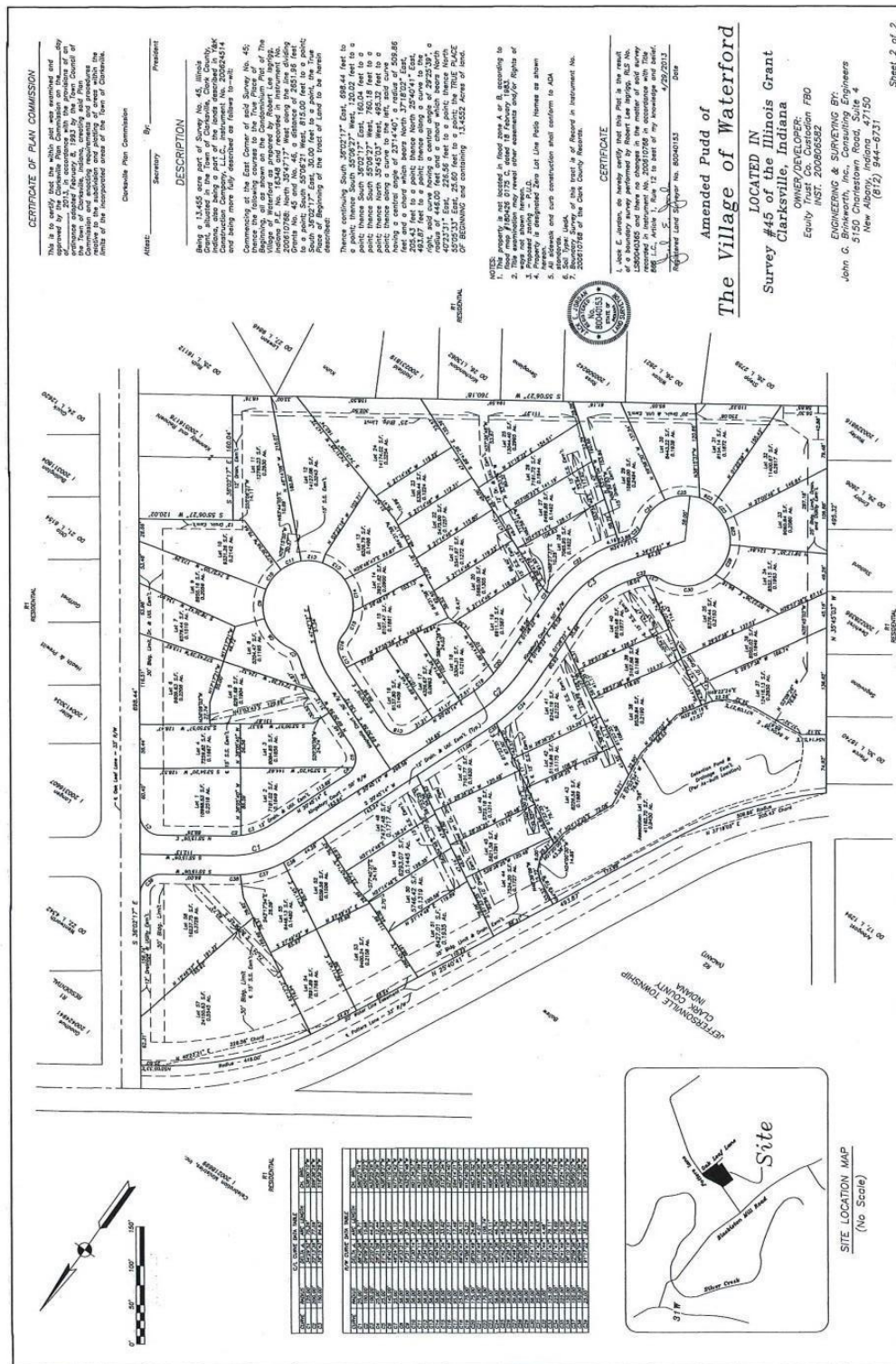
E. Development Standards

Development standards for Villages of Waterford PUD shall be in accordance with those shown on the PUD development plan and any restrictions and covenants associated with the development.

Drawing 95-230-1



Drawing 95-230-2



A. Specific Purposes

The purposes of the Clarksville Wastewater Treatment Plant PUD is to treat wastewater to produce an effluent that will do as little harm as possible when discharged to the surrounding environment, thereby preventing pollution compared to releasing untreated wastewater into the environment.

B. Property

The property is located on Leuthart Drive off of Brown's Station Way, and contains a total of 23.74 acres.

C. Land Use Classification

Clarksville Wastewater Treatment Plant PUD uses shall be in accordance with Table 95-240-1, Land Use Classification.

Table 95-240-1. – Land Use Classification

<i>USES PERMITTED BY RIGHT</i>
LBCS - 4340 - Sewer, solid waste, and related services

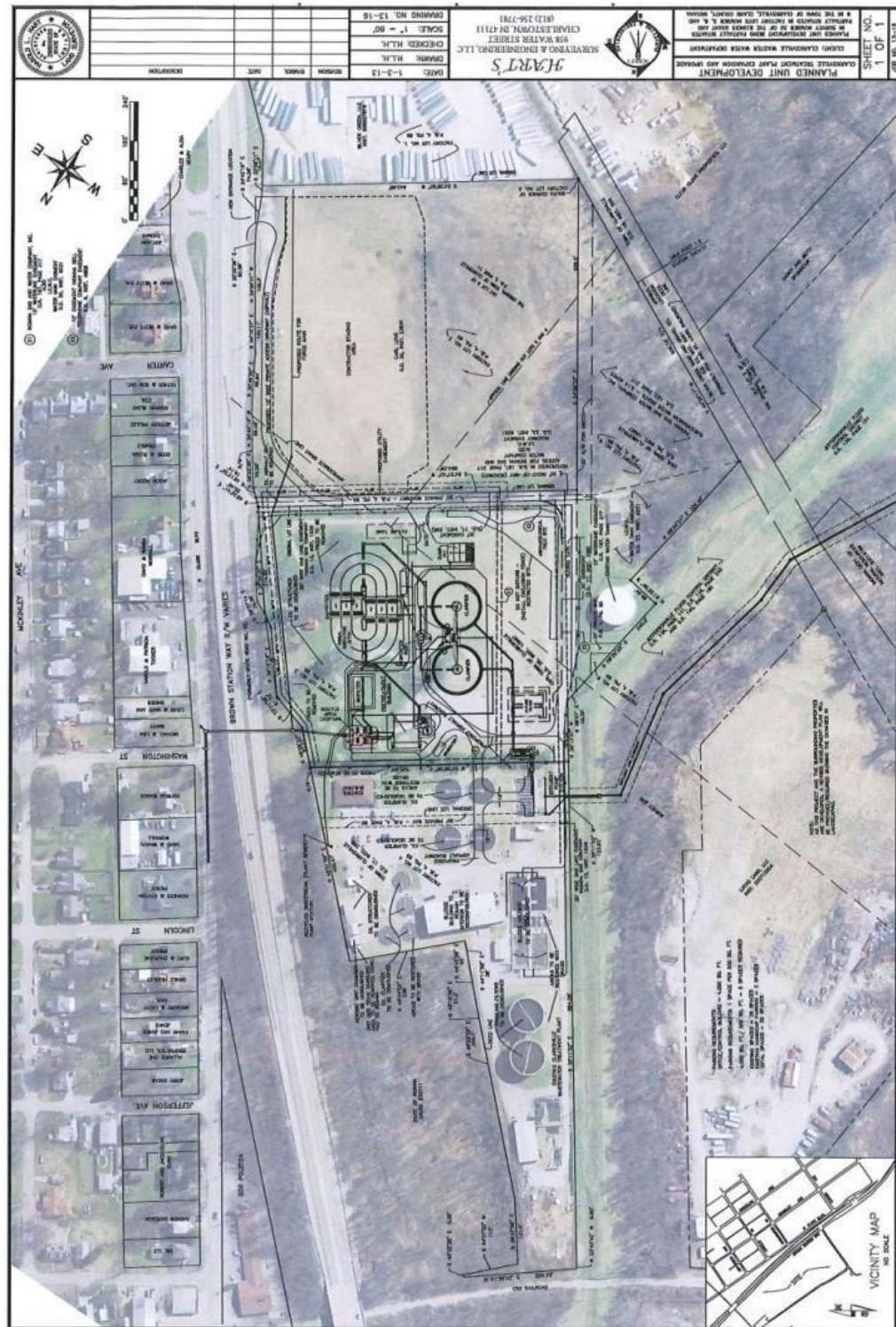
D. Plan Documentation

See Drawing 95-240-1.

E. Development Standards

Development standards for the Clarksville Wastewater Treatment Plant PUD shall be in accordance with those shown on the PUD development plan.

Drawing 95-240-1



A. Specific Purpose

The purposes of the Water Tower Square PUD are the following:

1. To promote good design and implement a plan to re-use and adapt existing structures and premises.
2. To permit special consideration for use of amenities, size, shape, and location.
3. To work within the constraints of the property's existing conditions.
4. Utilize the advantages presented by existing site conditions and location.
5. Continuing development of a grouping of commercial uses designed as a whole.
6. To encourage business development which is clustered to reduce adverse traffic and aesthetic impacts on the community.

B. Property

The Water Tower Square PUD encompasses all the land between the Town corporate boundary on the east, the floodwall on the south, Woerner Avenue on the west and South Clark Boulevard on the north. There are existing buildings, structures, and uses on the property. See Drawing 95-260-1

C. Land Use Classification

Water Tower PUD uses shall be in accordance with Table 95-250-1, Land Use Classification.

Table 95-250-1. Land Use Classification	
<i>USES PERMITTED BY RIGHT</i>	
LBCS - 1100 - Private residence, including apartments, condominiums, town homes, and all private households	➤ These dwellings may be individually owned residences as well as residences owned by rental or management companies.
LBCS - 1330 - Hotel or motel	➤ These are establishments comprise hotels and motels, as well as resort hotels. These establishments may also offer food services, recreational services, convention hosting services, laundry service, etc. This category also includes extended stay hotels.
LBCS - 2110 - Automobile sales or service	➤ These establishments include all motor vehicle and parts dealers. They have showrooms or open lots for selling vehicles, and may provide repair and maintenance services. Note that establishments selling medium- and heavy-duty trucks should be included in wholesale trade and not here, because such products are never sold through retail channels.
LBCS - 2240 - Insurance related establishment - these primarily engaged in one of the following:	➤ Underwriting (assuming the risk, assigning premiums, etc.) annuities and insurance policies or ➤ Facilitating such underwriting by selling insurance policies, and by providing other insurance and employee-benefit related services.
LBCS - 2300 - Real estate & leasing & rental	➤ These establishments rent or lease, and may additionally sell assets. Assets can be tangible (real estate or equipment) or intangible (patents and trademarks). This category's usefulness depends entirely on the activity and structure-type dimensions.
LBCS - 2331 - Rent or lease car	➤ These establishments rent or lease passenger cars without drivers
LBCS - 2332 - Leasing trucks, trailers, RV's	➤ These establishments rent or lease trucks, truck tractors or buses, semi-trailers, utility trailers, RVs (recreational vehicles). Excluded are off-highway transportation equipment such as aircrafts, railroad cars, steamships, or tugboats. Drivers or operators are not provided.
LBCS - 2334 - Leasing commercial, industrial machinery and equipment	➤ These establishments rent or lease office machinery and equipment, excluding heavy equipment without operators used for construction, mining, or forestry, such as bulldozers, earthmoving equipment, well-

drilling machinery and equipment, or cranes; and other non-consumer machinery and equipment, such as manufacturing equipment; metalworking, telecommunications, motion picture, or theatrical equipment; institutional (i.e., public building) furniture; or agricultural equipment without operator

LBCS - 2411 - Legal services

- Title abstract and settlement offices engaging in researching public land records to gather information relating to real estate titles; preparing documents necessary for the transfer of the title, financing, and settlement; conducting final real estate settlements and closings; and filing legal and other documents relating to the sale of real estate. (Real estate settlement offices, title abstract companies, and title search companies are included.)
- Offices of lawyers: these are offices of legal practitioners known as lawyers or attorneys i.e., counselors-at-law primarily engaged in the practice of law. Establishments may provide expertise in a range or in specific areas of law, such as criminal law, corporate law, family and estate law, patent law, real estate law, or tax law.
- Offices of notaries: these establishments draft, approve, and execute real estate transactions, wills, and contracts; and receive, index, and store such legal documents.

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

- Accounting-related establishments provide services such as auditing accounting records, designing accounting systems, preparing financial statements, developing budgets, preparing tax returns, processing payrolls, book keeping, and billing.

LBCS-2413 - Architectural, engineering and related services

- These establishments include the following: architectural, landscaping (architectural), engineering, drafting, building inspection, surveying and mapping, and laboratory testing (except medical, veterinary, or auto emission) enterprises.
- Architectural services plan and design buildings and structures.
- Architectural landscaping services plan and design the development of land areas for projects.
- Engineering services apply physical laws and principles of engineering to design, develop, or utilize machines, materials, instruments, structures, processes, and systems; they may provide advice, prepare feasibility studies, prepare preliminary and final plans and designs, provide technical services during the construction or installation phase, or inspect and evaluate engineering projects.
- Drafting services draw detailed layouts, plans, and illustrations of buildings, structures, systems, or components from engineering and architectural specifications.
- Building inspection services evaluate aspects of building structure and component systems and prepare reports on the physical condition of the property, generally for buyers or others involved in real estate transactions; bureaus and establishments providing home inspection services are included.
- Surveying and mapping services gather, interpret, and map geophysical and non-geophysical data; these may survey and map the earth's surface or seafloor, may locate and measure subsurface resources (such as oil, gas, and minerals), and may conduct surveys for engineering purposes.
- Testing laboratories perform physical, chemical, and other analytical testing services, such as acoustics or vibration testing, assaying, biological testing (except medical and veterinary), calibration testing, electrical and electronic testing, geotechnical testing, mechanical testing, and nondestructive testing.

LBCS-2417 - Advertising, media, and photography services

- Establishments in this category encompass: advertising, public relations, and media buying agencies; media representatives; display and direct mail advertisers; market research and public opinion agencies; commercial and consumer photography and ideography studios; and translation and interpretation providers.

LBCS - 2421 - Office and administrative services

- The establishments provide day-to-day office administrative services, such as financial planning, billing, record keeping, personnel employment, and logistics; hold securities (or other equity interests) of companies in order to own a controlling interest or influence management decisions; oversee and administer the establishments of a company often by providing strategic or organizational planning; and provide other administrative services not classified elsewhere.
- Only use this classification for stand-alone establishments which, although they may be part of a larger company, are separate from the actual goods or services producing facilities.
- The activities of these establishments could apply equally to a manufacturing company, a law firm, etc.

LBCS - 2422 - Facilities and support services.

- These establishments provide operating staff for support services within a client's facilities.
- They typically provide a combination of services, such as janitorial, maintenance, trash disposal, security, mail reception, and laundry services.
- They provide operating staff to carry out these support activities, but are not involved with the core activities of the client.
- Establishments providing operation support services (except computer and data processing) and establishments operating correctional facilities (i.e., jails) on a contract or fee basis are also included here.

LBCS-2423 - Employment agency

- These establishments provide employee placement, temporary help, and employee leasing services.
- They may list employment vacancies and refer or place individuals in employment for others; supply workers to clients' businesses for limited periods of time to supplement their working force; and provide human resources and human resource management, and operate in co-employment with clients.
- These establishments may or may not provide direct supervision of their employees at clients' work sites, but do not have management accountability for the work of their clients with regard to strategic planning, output, or profitability.
- Professional employer organizations (PEO) and establishments providing labor or staff leasing services are included in this class.

LBCS - 2424 - Business support services

- These establishments provide any of the following: document preparation, telephone answering, telemarketing, mailing (except direct mail advertising), court reporting, and steno typing.
- They may operate copy centers, which provide photocopying, duplicating, blueprinting, or other copying services besides printing.
- They may provide a range of support activities, including mailing services, document copying, facsimiles, word processing, on-site PC rental, and office product sales.

LBCS - 2430 - Travel arrangements and reservation services

- These establishments promote or sell travel, tour, or accommodation services, such as providing maps and information, locating convention sites, arranging reservations, organizing group tours, etc. Travel or wholesale tour operators are included in this subcategory. Also included are convention and visitors' bureaus.

LBCS - 2450 - Services to buildings & dwellings

- These establishments provide services such as pest control, janitorial activities, landscaping, carpet and upholstery cleaning, and other services for buildings and dwellings.

LBCS - 2455 - Packing, crating, and convention and trade show services

- These establishments may package client owned materials, possibly with package labeling or imprinting; and organize, promote, and manage events, such as business and trade shows, conventions, conferences, and meetings, with or without providing staff.

LBCS - 2510 - Full service restaurant

- These restaurants provide food services to patrons who order and are served while seated (i.e. waiter/waitress service) and pay after eating. They may provide this service in combination with selling alcoholic beverages, providing takeout services, or presenting live nontheatrical entertainment.

LBCS - 2520 - Cafeteria or limited service restaurant

- These establishments provide food services (except snack and nonalcoholic beverage bars) where patrons order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to customers' location.
- Some establishments in this subcategory may provide food services in combination with selling alcoholic beverages. This subcategory includes cafeterias, which use cafeteria-style serving equipment, a refrigerated area, and self-service beverage dispensing equipment, and which display food and drink items in a continuous cafeteria line.

LBCS - 2530 - Snack or non-alcoholic bar

- These establishments prepare and serve specialty snacks, such as ice cream, frozen yogurt, cookies, or popcorn; or serve nonalcoholic beverages such as coffee, juices, or sodas for consumption on or near the premises.
- These establishments may carry and sell a combination of snack, nonalcoholic beverage, and other related products (e.g., coffee beans, mugs, and coffee makers), but generally promote and sell a unique food or beverage item.

LBCS - 2540 - Bar or drinking place

- These establishments include bars, taverns, nightclubs or drinking places, which primarily prepare and serve alcoholic beverages for immediate consumption. These establishments may also provide limited food and entertainment (primarily music) services.

LBCS - 2560 - Caterer

- Catering establishments provide single event-based food services, and transport food via equipment and vehicles to events, or prepare food at an off-premise site. Banquet halls with catering staff are included in this subcategory. Examples of events catered by these establishments are trade shows, graduation parties, wedding receptions, and business or retirement luncheons.

LBCS - 2570 - Food service contractor

- These establishments provide food services at institutional, governmental, commercial, or industrial locations of others based on contracts with organizations for a specified period of time. Establishments in this subcategory provide food services for the convenience of the contracting organization or the contracting organization's customers. The food service contractor always provides its own management staff.

LBCS - 3220 - Paper and printing materials

- Establishments in this category primarily print products (e.g. books, periodicals, and greeting cards) and perform support activities, such as bookbinding, plate making services, and data imaging. Clothing printers are included if their primary activity is printing, not clothing manufacturing (e.g. T-shirt printing is included, but fabric printing is not).
- Excludes manufacture paper and offer printing-related products, paper manufacturers that make pulp, paper, or converted paper products (e.g. paper bags), and photosensitive papers, which are classified in chemical and plastics. Also excluded are publishers of printed products or those that both print and publish.

LBCS - 3510 - Durable goods selling

- Establishments in the durable goods subcategory sell or arrange the purchase or sale of capital or durable goods to other businesses. These establishments wholesale products, such as motor vehicles, furniture, construction materials, machinery and equipment (including household-type appliances), metals and minerals (except petroleum), sporting goods, toys and hobby goods, recyclable materials, and parts. Durable goods generally have life expectancy of at least three years.

LBCS - 3600 - Warehouse & storage

- These service establishments operate warehouse and storage facilities for general merchandise, refrigerated goods, and other warehouse products. They provide the facilities to store goods but do not sell the goods they handle. They may also provide a range of services related to the distribution of goods, such as labeling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing, and transportation arrangement. Bonded warehousing, storage services, and warehouses located in free trade zones are included in this category.

LBCS - 4230 - Telecommunications and broadcasting

- The telecommunications and broadcasting category comprises establishments that provide point-to-point communications and related services. These classification groups are based on differences in the methods of communication and in the nature of services provided. Many establishments operate facilities providing an array of telecommunications services. If multiple services are shared between the same facilities, use this general category. If separate facilities are maintained for each type of service, then use a separate specific classification below for each facility type. For independent contractors that maintain and install broadcasting and telecommunications systems, use the appropriate classification in the construction-related category.

LBCS - 4231 - Radio & television broadcasting	➤ These establishments operate broadcasting studios and facilities for over the air or satellite delivery of radio and television programs of entertainment, news, talk, etc. They produce or purchase programs and generate revenue from the sale of air time to advertisers or from donations, subsidies, or the sale of programs.
LBCS - 4232 - Cable network and distribution	➤ 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
LBCS - 4233 - Wireless communication	➤ These 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.
LBCS - 4234 - Telephone and other wireless communication	➤ Telephone and other wired telecommunications. Use this classification for telecommunications establishments operating telephone networks.
LBCS - 4240 - Information services & data processing	➤ This subcategory consists of news syndicates, and information and data processing services. These may supply information to the news media, or provide electronic data processing services. These establishments may provide complete processing and preparation of reports from data supplied by customers; specialized services, such as automated data entry services; or may make data processing resources available to clients on an hourly or timesharing basis.
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 - 6140 - Technical, trade, & other specialty schools	➤ These schools offer vocational and technical training in a variety of technical subjects and trades. The training often leads to job-specific certification. The individual classifications are based on the type of training provided.
LBCS - 6510 - Ambulatory or outpatient care establishments offer health care services directly to patients without providing inpatient services.	
LBCS - 6511 - Clinics	➤ These establishments include physician offices, dentists, chiropractors, optometrists, etc., except outpatient pain therapy.
LBCS - 6513 - Medical and diagnostic laboratories.	➤ These establishments are laboratories that provide analytic or diagnostic services, and other services such as medical imaging and forensics.
LBCS - 6820 - Business associations and professional membership organization	➤ 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.
LBCS - 7110 - Residential construction	➤ Establishments in this category construct single- and multi-family residential housing. Housing may be constructed for sale or rent. Establishments include custom housing builders and on-site mobile home addition, alteration, and assembly establishments.
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, & machinery installation contractor	<ul style="list-style-type: none"> ➤ These establishments install or dismantle building equipment, machinery or other industrial equipment (except plumbing, heating, air conditioning or electrical equipment); provide machine rigging; and 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 - 7330 - Electrical contractor	<ul style="list-style-type: none"> ➤ These establishments perform on-site electrical work, equipment service, and installation. They may sell electrical equipment along with installation.
LBCS - 7370 - Plumbing, heating, and air-conditioning	<ul style="list-style-type: none"> ➤ Establishments in this subcategory install or service plumbing, heating, and air-conditioning equipment. They may sell equipment along with installation. Activities range from on-site duct fabrication and installation, to installation of refrigeration equipment, sprinkler systems, and environmental controls.
LBCS - 7380 - Roofing, siding, & sheet metal contractors	<ul style="list-style-type: none"> ➤ 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 smiting, tin smiting, installing skylights, installing metal ceilings, flashing, duct work, and capping.

D. Plan Documentation

See Drawing 95-250-1.

E. Development Standards

1. Setbacks

Setbacks shall be as established by existing buildings. Any new structure shall be at least ten (10) feet from another primary or accessory structure.

2. Accessory Uses and Structures

Uses typically associated with a permitted use may be an accessory to the primary use in conformance with Article 4 Division 157.

3. Non-Conforming Structures and Uses

Any legal, existing use not included in Table 95-250-1 is a legal, non-conforming use and may continue in conformance with Article 4 Division 150-100

4. Lot Area Coverage

Lot area coverage shall not exceed fifty percent (50%).

5. Height

The height of any building shall not exceed thirty-five (35) feet.

6. Operation and Storage

All operations shall be completely contained within a building. All storage shall be within a building or completely concealed from public view.

7. Waste Material or Refuse

No waste material or refuse shall be dumped upon, or permitted to remain upon, any part of the property. All refuse enclosures shall comply with the Commercial Refuse Ordinance of Clarksville.

8. HVAC and Exterior Equipment

HVAC units and exterior equipment shall be concealed from public view.

9. Parking

Parking shall be shared on-site and comply with Article 4 Division 195.

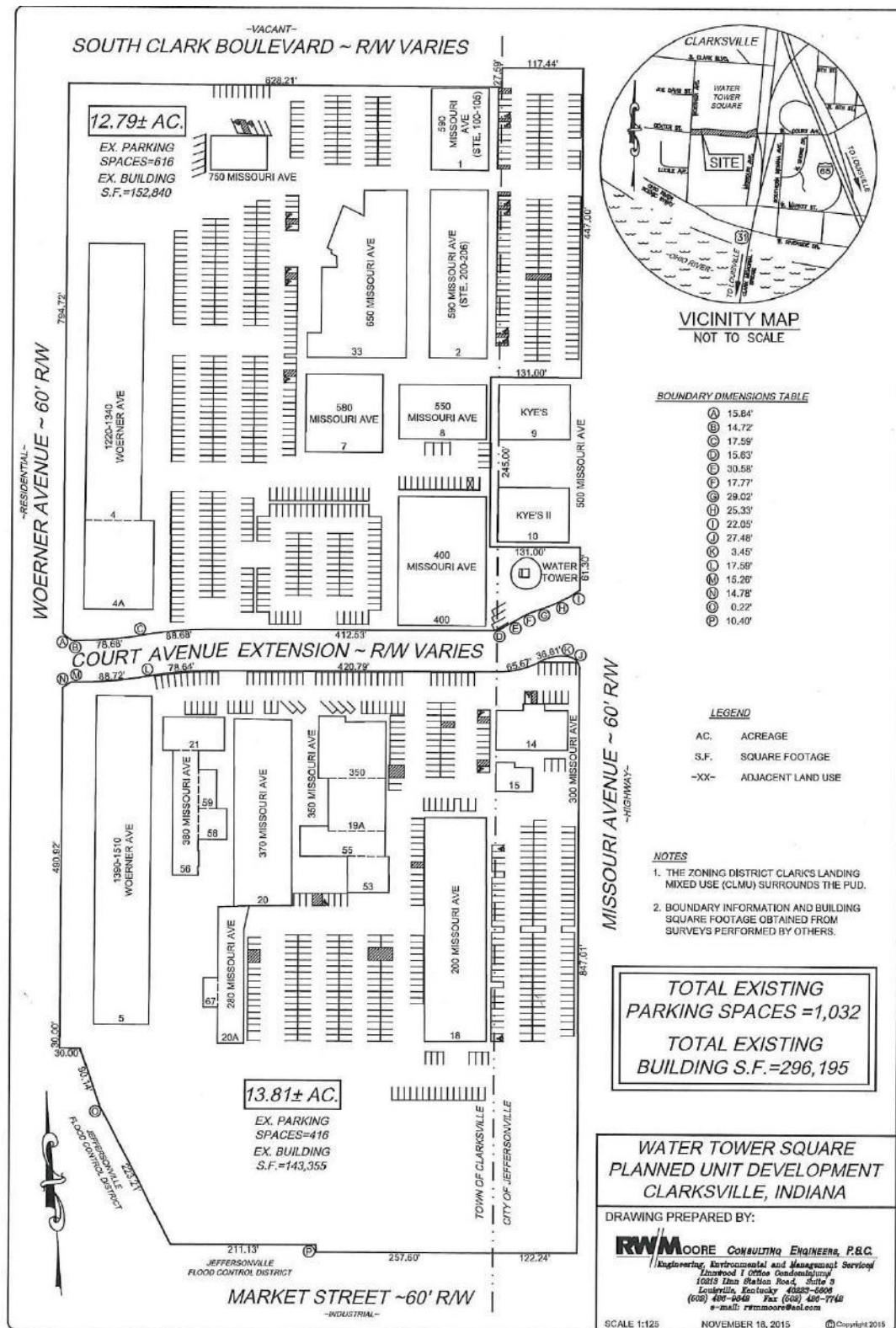
10. Landscaping

Landscaping shall comply with Article 4 Division 180.

11. Lighting

Lighting shall comply with Article 4 Division 190.

Drawing 95-250-1



Sec. 95-260 Providence High School PUD**A. Specific Purposes**

The purposes of the Providence High School PUD are the following:

1. To plan a unified campus so that the land uses spatially occupy land which they are best adapted
2. Promote the conservation of property values throughout the community
3. Accommodate reasonable development and growth
4. Maintain a high-quality educational campus with educational, recreational, and sport land uses

B. Property

The property is located on Providence Way, plus lots 1, 2 and 3 in block 4 of the Centralia Court subdivision. It encompasses 15 acres.

C. Land Use Classification

Providence High School PUD uses shall be in accordance with Table 95-260–1, Land Use Classification.

Table 95-260-1. Land Use Classification
<i>USES PERMITTED BY RIGHT</i>
LBCS - 5370 - Recreational sport, gymnasium, or athletic club
LBCS - 6123 - High school
LBCS - 6600 - Religious institution, church

D. Plan Documentation

See Drawing 95-260-1.

E. Development Standards

Development standards for the Providence High School PUD shall be in accordance with those shown on the PUD development plan.

Drawing 95-260-1



A. Specific Purposes

The purpose of the Goodloe PUD is to provide congregate housing for veterans.

B. Property

The property is located on Blackiston Mill Road, between Longfellow Drive and Altra Drive, and contains a total of 1.86 acres.

C. Land Use Classification

Goodloe PUD uses shall be in accordance with Table 95-270-1, Land Use Classification.

Table 95-270-1. Land Use Classification**USES PERMITTED BY RIGHT**

LBCS - 1100 - Private households only with subsidized congregate living arrangements for veterans

LBCS - 1210 - Old soldiers' homes without nursing care

D. Plan Documentation

See Drawing 95-270-1.

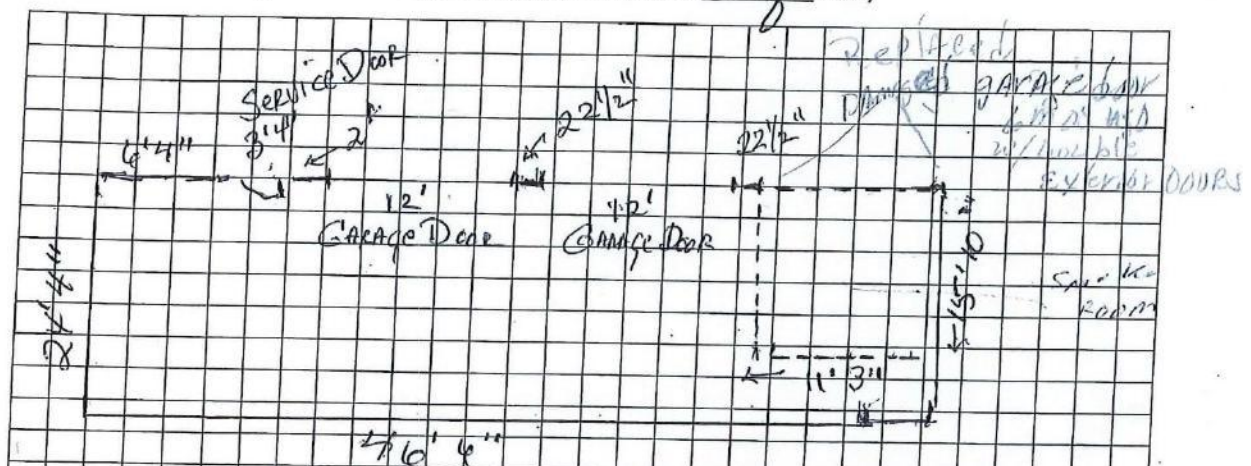
Drawing 95-270-1

REQUIRED PLOT PLAN

The site plan must show the following to be accepted:

- | | |
|---|---|
| <input type="checkbox"/> North Arrow | <input type="checkbox"/> Distance to and location of any critical area, such as a stream, creek, river, irrigation ditch, floodplain, wetland, wildlife habitat, and slope over 1-3 |
| <input type="checkbox"/> Street frontage | <input type="checkbox"/> Location of well, septic tank, and drainfield |
| <input type="checkbox"/> Access/Driveway | <input type="checkbox"/> Easements and/or right-of-way |
| <input type="checkbox"/> Lot lines and dimension | |
| <input type="checkbox"/> Location of all structures and specific use | |
| <input type="checkbox"/> Distances between structure and property lines | |

Draw at scale (Each square is 5 sq. = 10')

**Sec. 95-280 Gateway Crossing PUD****A. Specific Purpose**

The purpose of the Gateway Crossing PUD District is to maintain the essential character of Eastern Boulevard and redevelop a 17.295-acre parcel at the center point of the Boulevard. The proposed PUD will be a mixed-use area with diverse land uses, including general business and residential uses. Specific use encouraged to locate in the PUD will range from light warehousing to attached dwellings and neighborhood commercial uses. These uses are proposed to include a grocery store, restaurants, banking, and professional offices. The site layout will encourage creativity and innovation in the design of developments, and provide for the most efficient use of land. The PUD will further the policies and objectives of the Comprehensive Plan. Each development will be required to submit an individual development plan for review by the TRC and approval of the Plan Commission.

B. Land Use Classification

Gateway Crossing uses shall be in accordance with Table 95-280-1, Land Use Classification.

Table 95-280-1. Land Use Classification

<i>USES PERMITTED BY RIGHT</i>
LBCS - 1122 - Zero lot line single-family attached
LBCS - 1140 - Townhouses - 1140 – Townhouses
LBCS - 1200 - Multifamily structures <ul style="list-style-type: none"> ➤ Accessory uses, include home occupations or temporary uses, shall comply with Article 4 Division 157 unless. Accessory uses shall be permitted in a manner customarily subordinate in size and associated with the primary use. Accessory uses shall not include accessory dwelling units.
LBCS - 1330 - Hotel, motel, or tourist court <ul style="list-style-type: none"> ➤ 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 - 2113 - Bicycle, motorcycle, ATV, etc.
LBCS - 2115 - Parts, accessories, or tires - <i>except permitted only in I-1</i> <ul style="list-style-type: none"> ➤ Used automotive parts stores only in I-1 ➤ Used automotive tire dealers only in I-1 ➤ Used tire dealers only in I-1
LBCS - 2121 - Furniture or home furnishings
LBCS - 2122 - Hardware, home centers, etc.
LBCS - 2123 - Lawn and garden supplies
LBCS - 2125 - Electronics and Appliances
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 - 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 - 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 - 2322 - Rental housing - related
LBCS - 2333 - Recreational goods rental
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 - <i>all supplies and equipment must be contained within the building</i>
LBCS - 2414 - Graphic, industrial, interior design services - <i>all supplies and equipment must be contained within the building</i>
LBCS - 2415 - Consulting services (management, environmental, etc.) - <i>all supplies and equipment must be contained within the building</i>
LBCS - 2416 - Research and development services (scientific, etc.)
LBCS - 2417 - Advertising, media, and photography services - <i>all supplies and equipment must be contained within the building</i>
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 - 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 - 2560 - Caterer
LBCS - 2570 - Food service contractor
LBCS - 2600 - Personal services
LBCS - 2710 - Pet or pet supply store
<p>LBCS - 3110 - Food and beverages - <i>only the following are permitted:</i></p> <ul style="list-style-type: none"> ➤ Bakery products, fresh (i.e., bread, cakes, donuts, pastries) made in commercial bakeries ➤ Candy stores, chocolate, candy made on premises, not for immediate consumption ➤ Donuts (except frozen) made in commercial bakers (only for immediate sale)
<p>LBCS - 3130 - Textiles - <i>only the following are permitted:</i></p> <ul style="list-style-type: none"> ➤ Tailored dress and sports coats, men's and boys' cut and sew apparel contractors ➤ Tailored dress and sports 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)
<p>LBCS - 3220 - Paper and printing materials - <i>only the following are permitted:</i></p> <ul style="list-style-type: none"> ➤ Instant printing (i.e., quick printing) ➤ Print shops, lithographic (offset) (except gray goods, manifold business forms, printing books, quick printing) ➤ Print shops, quick ➤ Print shops, screen ➤ Printing manifold business forms
<p>LBCS - 3360 - Electrical equipment, appliance, and components manufacturing - <i>only the following are permitted:</i></p> <ul style="list-style-type: none"> ➤ Cellular telephones manufacturing
<p>LBCS - 4120 - Publishing</p> <ul style="list-style-type: none"> ➤ 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 - 4160 - Courier and messenger services
LBCS - 4234 - Telephone and other wired telecommunications
LBCS - 4240 - Information services and data processing industries
<p>LBCS - 4241 - Online information services</p> <ul style="list-style-type: none"> ➤ 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.
<p>LBCS - 5140 - Promoter of performing arts, sports, and similar events</p> <ul style="list-style-type: none"> ➤ 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 are representing and managing creative and performing artists, sports figures, entertainers, and other public figures. The representation and management include activities such as representing clients in contract negotiations; managing or organizing client's financial affairs; and promoting the careers of their clients.

LBCS - 5320 - Games arcade establishment

- These operate arcades and parlors (except gambling, billiard, or pool) for amusement
- Amusement arcades
- Amusement device (except gambling) parlors, coin-operated
- Amusement devices (except gambling) operated in own facilities
- Arcades, amusement
- Coin-operated non-gambling amusement device concession operators (i.e., supplying and servicing in others' facilities)
- Electronic game arcades
- Family fun centers
- Indoor play areas
- Jukebox concession operators (i.e., supplying and servicing in others' facilities)
- Pinball arcades
- Pinball machine concession operators (i.e., supplying and servicing in others' facilities)
- Video game arcades (except gambling)

LBCS - 5340 - Miniature golf establishment

- These establishments operate miniature golf courses and typically provide the necessary equipment to patrons. These establishments are distinct from golf courses and country clubs.

LBCS - 5380 - Bowling, billiards, pool, etc.

- This subcategory comprises establishments operating bowling billiards or pool centers. These establishments often provide food and beverage services.

LBCS - 5390 - Skating rinks, roller skates, etc.

LBCS - 6120 - 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. Includes the following:
 - ❖ LBCS - 6121 - Elementary
 - ❖ LBCS - 6122 - Middle
 - ❖ LBCS - 6123 - Senior
 - ❖ LBCS - 6124 - Continuance
 - ❖ LBCS - 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 - 6140 - Technical, trade, and other specialty schools

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