

2.18 Eastern Boulevard Corridor Zone [EBCZ]

2.18.1 Purpose and Intent

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:

1. Establishment of a redevelopment of mixed uses district that support a range of activities and opportunities in the Eastern Boulevard corridor
2. Assure that new development and redevelopment is compatible
3. Promote appropriate arrangement and uses of land and buildings
4. Encourage mixed uses of land and buildings
5. Support pedestrian oriented and of multiple modes of transportation with buildings
6. Construct streetscapes which are attractive and designed to enhance the livability of and town

It is the town's intent to achieve this purpose by:

1. Provide consistent regulations for private and public properties in the corridor
2. Encourage additional opportunities for investment and reinvestments
3. Minimizing the need for new infrastructure, through reuse and redevelopment of land and buildings
4. Establish consistent guidelines and review of development and redevelopment plans
5. Improve the physical relationship between new buildings, existing buildings, in the EBCZ
6. Provide ways to reduce dependency on automobiles

2.18.2 Application Procedure

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

2.18.3 District Boundaries

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

2.18.4 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.

2.18.5 Waiver

Except for parking, the plan commission may, after public hearing, grant a waiver of the dimensional standards of this section, by up to 35%. In the case of parking, the number of parking spaces may be waived up to 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. The need for the waiver shall not be self created or based on greater economic return for the applicant. Any approval to permit such a waiver shall be subject to the following criteria:

1. The proposed change from this section shall enhance the overall development plan and the adjoining streetscapes and neighborhoods
2. Self imposed conditions or the desire for a greater economic return shall not be the basis or consideration in granting a waiver
3. The proposal shall not result in a site development or streets/circulation system that would be impractical or distract from redevelopment of the EBCZ
4. The change would not adversely affect emergency vehicle access
5. The proposal 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
6. In granting a waiver, the plan commission may impose such conditions or request commitments, that will, in its judgment, secure the purpose of this section
7. This section does not affect the right of the applicant to petition the board of zoning appeals for variance from development standards

2.18.6 Permitted Uses

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| <ol style="list-style-type: none"> 1. Uses permitted by right in the R-1, R-2, R-3, RPO, and GO zone districts 2. Condominium 3. Accessory dwelling units 4. Loft and second floor dwelling for the sole use of the owner or tenant that conducts the principal use 5. Child or adult daycare, except in a single family dwelling 6. Financial institutions 7. Insurance offices 8. Professional and business offices 9. Stand alone pharmacy 10. Drug store without drive thru 11. Library 12. Restaurants, café, pub, snack or sports bar, without drive thru or outdoor dining 13. Municipal buildings including offices, police and fire 14. Medical and dental offices 15. Schools 16. Indoor and outdoor recreation facilities, including sports, leisure 17. Post office 18. Fitness/training studio 19. Bowling alley 20. Laundry/laundrette, or dry cleaner 21. Hotel/motel | <ol style="list-style-type: none"> 22. Hair care/barber shop 23. Convenience store with or without gasoline pumps 24. Oil change facility 25. Community or civic center 26. Places of worship 27. Supermarket or grocery 28. Shoe store 29. Legally established betting and gaming establishments 30. Travel agencies 31. Convalescent/nursing home or assisted living 32. Physical rehabilitation facility 33. Hardware store 34. Coffee shop 35. Billiards/arcade 36. Cell phone/pager sales and service 37. Book store 38. Artist, music, or other cultural supply stores or studios 39. Tanning salon 40. Bakery 41. Art galleries, theaters, museums, and similar cultural uses 42. Office supply or copy store 43. Residential uses shall not compromise more than 70% of a mixed use development's gross lot area. |
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2.18.7 Conditional Uses

1. Uses permitted by right in a B-1, B-2, RPO, or GO, except those specifically permitted by right in the EBCZ
2. Big box retail
3. Cafes and outdoor dining
4. Home occupations
5. Drive thru
6. Automobile, truck, boat, or other vehicle sales or repairs

2.18.8 Temporary Uses

The following uses are eligible for a temporary use permit, provided they meet the requirements of this ordinance:

1. Outdoor sales, including seasonal sales
2. Parking lot sales, sidewalk sales (private sidewalks only), clearance sales, or other temporary sales which, in the opinion of the Technical Review Committee, are similar to uses listed in this section
3. Vehicle sales
4. Grand opening and special events
5. Group activities including carnivals, fairs, rodeos, sport events, revivals, concerts, and shows
6. Stands for the sale of agricultural products, including flowers
7. Construction yards, offices or trailers
8. Other temporary uses which, in the opinion of the Technical Review Committee, are similar to the uses listed in this section

Temporary Use Requirements

1. Each temporary use or event shall:
2. Be described in an application with detailed drawings submitted to the Building Commissioner
3. The use or event and all its components must be at least 25 feet from any public maintained street, or sidewalk, and shall not impede vision clearance at any driveway or corner
4. The application shall be reviewed and approved by the Technical Review Committee
5. After approval or approved with conditions by the Technical Review Committee a permit may be issued by the Building Commissioner prior to commencement of the use or event. This permit shall be in addition to all other licenses, permits or approvals otherwise required by any governmental entity
6. The number of additional parking spaces required for the temporary activity shall be determined by the zoning ordinance and shown on the drawing. Required parking spaces for the permanent use shall not be used to fulfill the additional parking requirements
7. All unimproved parking areas and main walk areas shall be kept in a manner that is safe and prevents dust
8. Normal clear paths for handicap accessibility shall not be obstructed
9. All sites shall be completely cleaned of debris, equipment, and temporary structures including, but not limited to: trash receptacles, signs, stands, poles, electrical wiring and any other fixtures and appurtenances or equipment connected therewith, within one (1) days after the termination of the temporary use or event

10. The town may require security in the form of a bond, letter-of-credit, or cash deposit in an amount satisfactory to the town may be required to assure adequate clean-up of the premises, activities that occur on vacant, or undeveloped lots, and/or involving temporary structures
11. Sanitary facilities, either portable, or with written permission of the owner, use of sanitation facilities at the existing building on the site, shall be made available within a reasonable distance on site to all sales persons, employees, attendants, and participants of the activity during its hours of operation.
12. No area of public right of way may be used without first obtaining approval from the town council
13. Written proof of ownership or a signed letter from either the property owner or their authorized representative, of the property on which the activity is to take place shall be submitted with the application. If the owner or applicant is a business, the letter shall be on the letterhead of the business.

2.18.9 Prohibited Uses

1. Mobile home parks
2. Sexually oriented business, regulated by Clarksville Ordinance No. 2005-G-03
3. Tattoo parlor
4. Pawn shop or quick loan store
5. Massage, except licensed therapeutic
6. Any use permitted by right, contingent use, or special exception in an I-1 or I-2 district unless specifically permitted in the EBCZ

2.18.10 Pre-Development Plan Meeting

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

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

2.18.11 Development Plan

A development plan shall be prepared for all new developments and redevelopment projects, including, alternations, renovations, and additions to existing structures, and any change which exceeds the following:

1. 5% of the original gross floor area of the existing structure, applicable from the date of this ordinance.
2. Parking, or site layout change
3. Any new access to the property
4. Any new use of buildings or land
5. The need for issuance of any improvement location permit, except:
6. Interior tenant finishes
7. Maintenance and/or repairs consistent with previously approved plans
8. Traffic Impact Analysis
9. Any development exceeding the following traffic generation threshold levels shall submit a major development plan.
10. If threshold values are met or exceeded a major development plan and a traffic impact analysis [TIA] may be required with the application and site plan

Land Use Type	Threshold Value
Residential	20 dwelling units
Office	2,000 square feet
Retail & service	2,000 square feet
Big box	16,000 square feet
Lodging	20 rooms
Medical	3,000 square feet
Educational	16,000 square feet or 100 students

2.18.12 Pedestrian Access

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

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

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

1. Special surface materials
2. Grade separations
3. Physical pavement markings
4. Texture surface
5. Signs
6. Striping
7. Bollards
8. Median refuge areas
9. Traffic calming features
10. Landscaping
11. Lighting
12. Other means approved by the plan commission as recommended by the Technical Review Committee

2.18.13 Site Amenities and Aesthetics

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

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

1. Mounds and berms
2. Use of aesthetically pleasing drainage ways and water retention basins
3. Swales used as a landscape element
4. Water features such as fountains, pools, and ponds
5. Walls and terraces
6. Meandering walks
7. Patios

8. Street furniture, including lighting, shading elements, and similar pedestrian amenities
9. Boulders, brick or stone pavers
10. Arbors and trellises
11. Landscape clusters and features
12. Site sculptures

2.18.14 Signs

Signs shall be designed to be an integral part of the over all development including colors

1. Sign setbacks may be reduced by 50% when approved as part of a development plan
2. Signs that appear to have movement or appear to change, caused by any method other than physically removing and replacing the sign or any of its components is prohibited
3. Any sign prohibited by the zoning ordinance is prohibited in this zone
4. Wall signs shall not exceed 10% of the façade area on which it is located.
5. Signs shall not obscure vision clearance at driveways or corners or otherwise create a hazard to vehicles or pedestrians
6. Human signs, balloon signs, and mobile signs are prohibited
7. Banners, other than civic banners attached to street light fixtures are prohibited
8. Recommended sign structures are as shown in the design guidelines in section 2.18.31.

2.18.15 Parking

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

2.18.16 Lighting

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

1. Exterior lighting of the building or site shall be designed so that the light is directed on the site and the light source is shielded from direct offsite viewing. For any use abutting single-family residential uses, illumination levels shall not exceed 0.5 ft. candles at the property line
2. Exterior lighting shall be architecturally integrated with the building style, material, and color
3. Rooftop lighting is prohibited.
4. All exterior architectural features, display, and decorative lighting shall be generated from concealed low level fixtures and shown on the lighting plan
5. The maximum height of light standards in parking areas shall not exceed the building height, or 25 ft., which ever is less. When light standards abut or fall within 90 ft. of single-family residential uses or districts, their height shall not exceed 15 ft.

2.18.17 Noise

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

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

2.18.18 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.

2.18.19 Building and Project Compatibility

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

2.18.19.1 Compatible Design of Building

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

2.18.19.2 Building Appearance and Architectural Character

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

2.18.19.3 Windows

- a. Mirror glass with a reflectivity or opacity of greater than sixty (60) percent is prohibited.
- b. Solar glass is prohibited
- c. 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.
- d. Windows shall be of a non-mirrored finish
- e. Windows shall be individually defined with detail elements such as frames, sills and lintels, and placed to visually establish and define buildings and multiple store, or shop within a single building and establish human scale and proportion.

2.18.19.4 Building Size, Height, Bulk, Mass, Scale

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

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

2.18.19.5 Building Orientation

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

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

2.18.19.6 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.

2.18.19.7 Building Materials

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

- a. At least 70% of the exterior building materials shall be brick, or stone. Subordinate materials, up to 30%, may include wood framing; permanently stained split faced textured block, and exterior insulation finish systems [EIFS]. Other materials may be approved by the plan commission, if recommended by the Technical Review Committee.
- b. Exterior materials shall not include smooth faced concrete block, painted or stained concrete block or prefabricated steel panels.
- c. In the case of development within or adjacent to an existing development, materials shall have color shades and textures similar to those existing development and in the immediate area of the proposed development. However, predominate materials shall be brick or stone.
- d. New developments that are not adjacent to or within an existing development shall establish an overall integrated design and materials.
- e. Facades and exterior building walls exceeding 25 feet shall incorporate architectural articulations, wall plane projections, or recesses having a depth of at least 3% of the length of the exterior façade or wall.
- f. Street level facades fronting on a street shall have display windows, intrigue areas, awnings or other such features along no less than 25% of the horizontal length of the ground floor façade.
- g. 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.

2.18.19.8 Building Color

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

A new development of a single structure or multiple structures may establish its own integrated color scheme utilizing the following ranges:

Colors					
1.	#465pc	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				

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

2.18.20 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.

2.18.21 Architectural Articulations

Building facades shall incorporate at least four of the following:

1. Off sets
2. Material change
3. Texture change
4. Architectural change, e.g. columns, canopies, arbors, trellis
5. Structural elements such as projecting ribs or offset element
6. Other elements approved by the plan commission on recommendation of the Technical Review Committee

2.18.22 Roof Top Equipment

Rooftop mechanical and telecommunications equipment shall be fully concealed or screened on all sides using parapets, penthouse screens or other similar methods integrated into the overall building

2.18.23 Landscaping

Landscaping is an integral element in development and contributes to the health and safety of the community. Landscape must first be functional and maintainable. The considerations of functionality, maintainability, environmental soundness, and cost effectiveness provide the framework needed to create a visually pleasing landscape.

1. Shade trees shall be placed within the street right-of-way, parallel to each street; with a maximum spacing [on center] between trees of 50 ft., and a minimum of 30 ft.
2. A 5 ft. wide planting strip shall be provided along the sides and where are all parking areas the minimum planting shall include 2 Shade trees and 30 shrubs per 100 linear feet.
3. Shade trees shall be planted within parking areas having 8,000 ft.² or greater. There shall be planted one shade tree and five shrubs for every nine parking spaces.
4. The design of fencing or all sound walls, shall replicate the architecture and appearance of the principal building including design, articulations, construction, material and detailing.
5. Sites with existing trees with a diameter of 10 inches and at least four feet from the normal grade level or stands of trees shall protect and incorporate them into the overall site design.
6. All landscaping shall be installed prior to the issuance of a certificate of occupancy. If it is not possible to install the approved landscaping because of weather conditions, the property owner shall execute a recordable commitment to install the landscaping within a defined time period.
7. Plan for proper maintenance of all landscaping including trees, shrubs, plantings, landscape elements, and other landscaping approved as part of the landscaping plan. This includes, but is not limited to:
 - a. Replacing dead plantings with identical varieties or a suitable substitute
 - b. Irrigation
 - c. Mulching or suitable ground cover
 - d. Keep landscaped areas free of refuse, debris, rank vegetation and weeds
 - e. Replenishing plants and trees as needed
 - f. Keep mulch from contacting the tree trunk, and minimize the number of competing plants with in the mulch area.

2.18.23.1 Irrigation Systems

Permanent irrigation systems shall be installed by the developer. Restricted root systems, reflected heat, and dry summers create extreme drought stress for trees in parking lots and other paved areas. Avoid cutting tree roots when irrigation is installed after trees are established. Avoid cutting tree roots when irrigation is installed after trees are established. The amount of irrigation shall be appropriate for the tree species. Select salt tolerant tree species for parking lots and paved areas where deicing salts may accumulate or drain over tree roots.

2.18.23.2 Tree Planting Pits and Root Barriers

Within or within ten feet of a public street or other public way, root barriers or planting pits shall be installed to mitigate the damage that can be caused by migrating roots, significantly reducing uplifted streets and sidewalks and the attendant costs of maintenance and pedestrian hazard. Root barriers or planting pits shall be used to

deflect tree roots downward as they grow. They shall be used when planting of new trees, to prevent the spread of roots following root pruning and to protect land and hardscapes from root damage.

Ten feet shall be measured from the expected drip line of the plant and calculated as if the plant were mature, based on authoritative documentation. Documentation shall accompany the application.

1. Root Barriers

Root Barriers may be no less than 36 inches in radius and be to a depth of at least 18 inches. The root barrier shall be inter-locking panels that are manufactured of an extruded polyethylene.

2. Tree Planting Pits

Tree planting pits may be constructed in sidewalks; however, clear paths meeting ADA requirements shall not be obscured. They may be six foot in diameter or be continue channels of soil. They shall provide a continuous channel of soil under the pavement connects the individual pits and allows greater volume of soil for root growth and water storage. Raised tree planting areas can likewise be designed to accommodate multiple rather than single trees.

Where individual pits must be constructed they can either be above, at or below the surface of the pavement. In cases where there are both, extra provisions shall be made for supplemental fertilization and irrigation. In the case of planting pits at the surface level, a ground cover shall be planted at the time of the trees installation to discourage foot traffic over the tree roots. In cases where the pit soil level will be 2-8 inches below the pavement surface, an adjustable pit cover or grate shall be installed. The pit cover or grate shall accommodate the tree trunk growth while reducing trash accumulation and rodent the pit habitation.

Within a 6 foot diameter of the tree trunk, landscape pavers, porous concrete pavers may be used for parking lot surfaces instead of solid asphalt or concrete.

3. Shallow Rooted Trees

Shallow rooted tree species such as, Norway maple, red maple, sugar maple, sweet gum, tulip tree, pin oak, poplars and cottonwoods, willows and American elms, shall not be planted near sidewalks. There shall be at least 3 ft. of soil between paved surfaces such as asphalt or concrete and a sidewalk.

2.18.23.3 Landscape Screening and Buffering

- a. Screening and buffering shall consider the following:
- b. Seasons and year round buffering
- c. Density of foliage
- d. Size at maturity
- e. Messy fruit and seed producing species should be avoided near sidewalks, patios, driveways, and other paved or concrete areas
- f. Thorny or prickly branches may be used to deter stray animals and manage pedestrian movements

2.18.24 Land Use Transition

When land uses with significantly different visual character are proposed adjacent to each other and where gradual transitions are not possible or not in the best interest of the community, the development plan shall, to the maximum extent feasible, achieve compatibility through

compliance with the scale, form, materials, colors and operational standards including limits on hours of operation, lighting, placement of noise-generating activities and similar restrictions.

2.18.25 Outdoor Storage Areas

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

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

2.18.26 Mechanical Equipment

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

2.18.27 Seasonal Sales Area

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

Materials, colors, and design of screening walls or fences shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the building.

2.18.28 Operational/Physical Compatibility Standards

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

1. Hours of operation and deliveries
2. Location on a site of activities that generate potential adverse impacts on adjacent uses such as noise and glare
3. Arrangement of buildings
4. Placement of trash receptacles
5. Location of loading and delivery zones
6. Light intensity, shielding, and hours of full illumination
7. Location and placement of pedestrian amenity areas
8. Placement and illumination of outdoor vending machines

2.18.29 Commitments

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

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

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

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

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

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

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

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

1. Total, parcel, tract, lot area
2. Uses
3. Floor area
4. Signs
5. Lot area coverage
6. Ratios of floor space to land area
7. Area in which structures may be built ("Buildable area")
8. Recreation or Open space
9. Front, rear, and side yard setbacks
10. Building separations
11. Storm water management plan
12. Height of structures
13. Off-street parking and loading space locations
14. Phasing of development, if any
15. Outdoor lighting plan

- 16. Signage plan
- 17. Landscaping plan
- 18. Maintenance plan
- 19. Pedestrian amenity areas
- 20. Others requirements of this section

2.18.30 Enforcement

The Clarksville Town Council shall designate a person or department to pursue actions to enforce this ordinance, conditions imposed, and covenants or commitments made in connection with approval of the development plan. If the efforts of the design do not resolve the issue, the designee shall forward the enforcement action the plan commission attorney for appropriate action.

2.18.31 Recommended Signs

The following examples are recommended on premise signs for the EBCZ.

