

## 8 Sign Regulations

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#### 8.1 General Purpose; Exemptions

1. These conditions are established as a reasonable method of regulating advertising structures in order to ensure light, air, and open space; to reduce hazards at intersections; to prevent accumulation of trash; to preclude the establishment of structures which would afford hiding places for activities characterized as criminal; and to protect property values of the entire community.

The regulations for signs and other advertising structures are indicated below. The interpretation of nomenclature in this section shall be as defined in Chapter 2 of this Ordinance.

2. The following signs shall be exempt from regulation under this chapter:
  - A. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
  - B. Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three (3) feet beyond the lot line of the zone lot or parcel on which such sign is located;
  - C. Works of art that do not include a commercial message;
  - D. Holiday signs and decoration with no commercial message; and
  - E. Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meet department of transportation standards and which contain no commercial message of any sort.
  - F. Signs placed upon buses or any structures utilized in conjunction with, and authorized by, the Clarksville Transit System.
  - G. Signs of any kind displayed within the geographic boundaries of, and in conjunction with, public functions, festivals, street fairs or other similar celebrations conducted pursuant to Title 5, Chapter 10 of the City Code.

#### 8.2 Regulations Applying to All Districts

In any zoning district, the following general regulations shall apply:

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1. No sign shall be erected or maintained at any location where, by reason of its position, wording, illumination, size, shape, or color it may obstruct, impair, obscure, interfere with the view of, or be confused with any authorized traffic control sign, signal, or device.
2. No sign shall contain or make use of any word, phrase, symbol, shape, form, or character in such manner as to interfere with, mislead, or confuse traffic.
3. No illuminated sign shall be permitted within twenty-five (25) feet of property in any residential district unless the illumination of the sign is so designed that it does not shine or reflect light onto the property.
4. No business or advertising sign shall be erected to exceed fifty (50) feet in length. No sign shall be erected to exceed the height limitation of the district in which it is located.
5. All outdoor advertising structures shall be erected in conformity with the side and rear yard requirements of the district in which located, and shall be set back from the established street right-of-way line so as not to block the view of an adjacent building to motorized traffic.
6. No off-premise advertising sign shall be located in any area designated by the City, County or Regional Planning Commission as one of scenic beauty and/or scenic route.
7. Temporary signs. Beginning November 15, 1993, temporary signs are prohibited in all areas except in the following cases:
  - A. Temporary signs not exceeding thirty-two (32) square feet in area, are allowed to advertise drives or events of civic, philanthropic, educational, or religious organizations, provided that said signs are posted only during said drive or no more than thirty (30) days before said event and are removed no more than five (5) days after an event.
  - B. Signs not exceeding twenty-four (24) square feet in area and containing a commercial message are allowed on private property only upon the issuance of a temporary sign permit, which shall authorize the use of such a sign for a specified ten (10) day period. Only one such permit shall be issued to the same business license holder on the same lot more than once each calendar quarter. The fee for a temporary permit shall be established by the Building

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Official. Such signs shall not be considered billboards, outdoor advertising devices, or off-premise advertising devices, relative to the prohibition of such structures contained in Sections 8.3 through 8.8 of this Ordinance.

- C. The following applies only to the aforementioned allowable temporary signs: temporary signs shall not be erected or otherwise fixed to any pole, tree, stone, fence, building, structure, or any object within the right-of-way of any street. No temporary sign shall be erected at the intersection of any street in such a manner as to obstruct vision or be confused with any authorized traffic sign, signal, or device. All such signs shall be erected in accordance with the provisions of the current adopted edition of the International Building Code (ICC).
8. At any location deemed a safety hazard by the Building and Codes Department, a clear zone of vision shall be established between three and one-half (3 1/2) feet to ten (10) feet above grade level. Sign clearance shall be measured from grade level.
  9. No rotating sign shall exceed eight (8) revolutions per minute (rpm's). No direct beam of light shall revolve.
  10. All abandoned signs or signs relating to an abandoned use must be removed within thirty (30) days after abandonment. Removal is the responsibility of the owner of the sign.
  11. All signs shall be constructed, connected, operated and maintained according to the specifications of the current adopted edition of the International Building Code (ICC).
  12. All signs shall be maintained in a good state of repair. Painted faces or structural members shall be repainted whenever peeling or fading occurs. Neon tubes, lamps, ballasts, and transformers shall be kept in a good state of repair and in safe condition. Open sign cabinets are prohibited. Open cabinets shall be repaired by installing sign faces consisting of a panel material that is approved by the Department of Building and Codes or other designated department or official. The City may order the removal of any sign which becomes a public hazard due to lack of maintenance or repair.
  13. Signs may be illuminated provided the illumination is effectively shielded so as to prevent beams or rays of light from being directed at or spilling onto any adjacent property or right-of-way. Illumination which is of such intensity and

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brilliance as to cause glare or to impair the vision of the driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle is prohibited.

14. No sign shall be allowed if the changeable copy area of the sign exceeds eighty (80) percent of the total sign area.
15. Off-Premise Advertising Structures.
  - A. Except as herein provided in paragraph 15.B below and subsection 8.2.24, upon the effective date of Ordinance No. 13-1996-97, no new off-premise advertising structures shall be erected within the city limits of the City of Clarksville. Any off-premise advertising structure which is legally permitted on the effective date of Ordinance No. 13-1996-97 shall be considered to be nonconforming and is subject to the following regulations:
    - I. The maximum area for any one sign face shall be seven hundred (700) square feet on all interstate and controlled access highways, and four hundred (400) square feet on all other streets of the city of Clarksville, plus a maximum of thirty (30) percent additional for embellishments. Embellishments shall be considered to be any type of border or decorative trim. The thirty (30) percent factor shall be calculated proportionally for each individual sign face in question. The total sign face area may not exceed the maximum square footage as regulated above; however, sign faces may be placed back-to-back or v-type at a thirty-degree angle or less.
    - II. Sign face: The total area of a surface used to convey the message.
    - III. The maximum sign face height shall be thirty (30) feet and the maximum sign face length shall be sixty (60) feet, inclusive of any border and trim, but excluding ornamental base or apron support and other structural members.
    - IV. On all highways or streets, including interstate highways and controlled access highways, no two (2) structures shall be spaced less than one thousand (1,000) lineal feet apart on the same side of such highway or street. The minimum distance between sign structures shall be measured between points on each structure closest to the other, projected perpendicular to the nearest edge of the pavement (or traveled portion of such right-of-way).

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- V. No two (2) structures shall be placed on any highway or street (including interstate highways and controlled access highways) spaced less than five hundred (500) feet apart in any direction. The minimum distance shall be measured along a straight line between the point on each structure closest to the other.
  - VI. Outdoor advertising structures shall not exceed fifty (50) feet in height above the roadway grade level to which the sign is oriented.
- B. Notwithstanding the provisions of paragraph 16.A. above, the City Council, with the permission of the concerned permit holder, may approve by resolution the relocation of any existing off-premise advertising structure when in the best interest of the City, provided that the replacement off-premise advertising structure complies with all City ordinance and other general law requirements pertaining to such structures, and provided further that a site plan application has been previously submitted by the permit holder and approved by the Regional Planning Commission, and that the Clarksville Department of Building and Codes has recommended approval of a building permit for the replacement off-premise advertising structure. The employment of the provisions of this subparagraph are solely at the election of the City and for the sole benefit of the City and shall not be construed to grant any permit holder the right to relocate any off-premise advertising structure without City Council approval, or to seek relief hereunder upon their own motion.
- 16. Beginning November 15, 1993 banners shall be allowed only when attached at all corners to the principal structure, including any enclosed area containing merchandise for sale and attached to the principal structure.
  - 17. Pennants/streamers shall maintain a ten (10) foot clearance from the bottom of the pennants/streamers to the ground.
  - 18. Strings of lights shall be required to have electrical permits, be inspected, and approved by UL or a major testing laboratory. Strings of lights must also meet the ten (10) foot minimum clearance required for pennants and streamers.
  - 19. Public signs. No signs shall be allowed in the public right-of-way, except for the following:
    - A. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.

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- B. Bus stop signs erected by a public transit company.
  - C. Informational signs of a public utility regarding its poles, lines, pipes, or facilities
  - D. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work in the public right-of-way.
  - E. Any sign not specified above which is installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to immediate confiscation without notice to the owner. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing such sign the full costs of removal or disposal of such sign.
  - F. Sidewalk signs as permitted is Section 8.9 of this Chapter.
20. Nothing in this Ordinance shall prohibit the use of advertising signs within the confines of athletic facilities, civic halls, or within the confines of parks in conjunction with sporting events. Such allowance shall be at the discretion of the Building and Codes Department.
21. Address signs, not more than one (1) for each street frontage or one for each principal entrance of the building and not exceeding seventy-two (72) square inches in surface area, showing only the numerical address designations of the premises upon which they are situated, are required. The area of such signs shall not be used in calculating any maximum area limitations on signage containing herein.
22. If it is determined by the appropriate department or building official or such official's designee that any owner or record of real property has violated the provisions of this chapter, or permitted violations of this chapter to occur on their property, the appropriate department or building official or other designated official shall provide notice to the owner of record of the violation and ordering the immediate removal of any sign in violation of the provisions of this chapter in order to remedy the condition, as provided by state law. The notice shall be given by United States mail, addressed to the last known address of the owner of record. The notice shall be written in plain language and shall also include, but not be limited to, the following elements:
- A. A brief statement of this section which shall contain the consequences of failing to remedy the noted condition.

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- B. The person, office, address, and telephone number of the department or person giving notice.
- C. Cost estimate for remedying the noted condition which shall be in conformity with the standards of cost in the community.
- D. A place wherein the notified party may return a copy of the notice indicating the desire for a hearing.

If the person fails or refuses to remedy the condition within thirty (30) days after receiving the notice, the appropriate department or building official or other designated official shall immediately cause the condition to be remedied or removed at a cost in conformity with reasonable standards and the cost thereof shall be assessed against the owner of the property. The city may collect the costs assessed against the owner through an action for debt filed in any court of competent jurisdiction. The city may bring one action for debt against more than one or all of the owners of properties against whom such costs have been assessed, and the fact that multiple owners have been joined in one action shall not be considered by the court as a misjoinder of parties.

The appropriate department or building official or other designated official may make any rules and regulations necessary for the administration and enforcement of this section. A hearing shall be provided upon request of the person aggrieved by the determination made pursuant to this chapter. A request for a hearing shall be made within ten (10) days following the receipt of the notice issued pursuant to this chapter. Failure to make the request within this time shall without exception constitute a waiver of the right to a hearing.

In addition to the costs incurred by the city to remedy the condition, an administrative fee of one hundred fifty dollars (\$150.00) shall be assessed to any owner of property who fails to remedy the condition for which notice was given to defray the cost to the city to administer this regulatory program.

- 23. Parcels sharing a recorded travel easement that has been approved by the Regional Planning Commission, shall share one (1) common freestanding sign per public right-of-way frontage and is subject to the following regulations:
  - A. The common sign shall not exceed height limitations specified elsewhere in this Chapter and shall not exceed twenty (20) feet in length.
  - B. Each parcel shall be allowed one nameplate on each side per common sign.

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- C. Such signs shall be maintained by property owners association established by the recorded travel easement.
  - D. A sign easement shall be shown on the final recorded travel easement plat and approved site plan.
24. Minimum requirements for Development Directory Signs shall meet the following requirements:
- A. Development Directory Signs are allowed in all zoning districts, except Residential Districts.
  - B. Each lot, utilizing a Development Directory Sign, shall be allowed one (1) additional "on-premise low profile sign" per street frontage to identify the business and must be oriented to said street. No other off building signs shall be allowed.
  - C. The Development Directory Sign shall be located in a platted private sign easement abutting the nearest public right-of-way or permanent dedicated easement and approved by the Regional Planning Commission. Such sign shall be maintained by an established property owner's association, a reciprocal operating agreement (ROA), or similar agreement that shall be recorded with and referenced on the final recorded plat.
  - D. For existing developments, businesses wishing to utilize a Development Directory Sign shall remove any existing free-standing signs from their property.
  - E. The Development Directory Sign shall not exceed height limitations specified elsewhere in this Chapter and shall not exceed twenty (20) feet in length.

### 8.3 Residential Districts

In Residential Districts, the following regulations shall apply:

1. For single-family, two- and three-family, and multiple-family dwellings, nameplates not to exceed two (2) square feet in area shall be permitted for each dwelling unit. The nameplate shall indicate nothing other than name and/or address of occupants, premises, or announcement of boarders or roomers. In such residential districts, unlighted, freestanding permanent or temporary signs of six (6) square

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feet in area or less are permitted. The use of such signs to advertise any commercial enterprise not permitted and actually conducted on the same lot is prohibited.

2. For multiple-family and group dwellings, identification signs, not to exceed twelve (12) square feet in area, shall be permitted. The sign shall indicate nothing other than name and/or address of premises and name of the management.
3. For all permitted uses not listed in this section, signs not to exceed thirty (30) square feet in area shall be permitted. Such signs shall not be located in a manner so as to obscure or impair vision of persons operating vehicles entering or leaving the premises.
4. Signs permitted in Sections 8.3 and 8.4 shall be limited to one sign per street frontage.
5. Identification signs containing only the name of the public use or institution shall be permitted but shall not exceed one hundred fifty (150) square feet of area.
6. Flashing or intermittent illumination is prohibited.
7. Subdivisions may erect no more than two (2) permanent identification signs at subdivision entrances on every major connector street entering the subdivision, with an aggregate maximum square footage not to exceed sixty-four (64) square feet. Such signs may identify the name of the subdivision, the primary developer or builders of dwelling units in the subdivision; however, the use of such signs to advertise any commercial enterprise is prohibited.

### 8.4 OP, O-1 and IC Districts

In an OP Office/Professional District, O-1 Office District and IC Institutional/Civic District the following regulations shall apply:

1. For residential uses permitted, the regulation of signs shall be the same as in the residential regulations in Section 8.3.
2. The total area of all signs on each parcel shall not exceed one square foot of surface area for each one (1) linear foot of lot adjoining a public street, permanent easement or travel easement, as regulated in Subparagraph 4.2.1C.
3. No signs, except "low profile signs," may be placed within twenty (20) feet of the front property line and shall comply with all rear and side yard setback requirements.

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4. "Low profile signs" are signs which do not exceed three and one-half (3 1/2) feet in height. These signs may be placed up to the front property line, provided they are placed outside of any street right-of-way and so as to not obstruct vision for moving traffic, as determined by the Building Official. Normal side yard setbacks must be met.
5. Signs shall not exceed fifteen (15) feet in height, except those attached to the face of the building. Signs attached to buildings shall not extend above the roof line.
6. Flashing, rotating or intermittent illumination signs are prohibited.

### 8.5 Commercial and Shopping Center Districts

In Commercial and Shopping Center Districts, the following regulations shall apply:

1. There shall be permitted for public uses, utilities, hospitals, and clinics bulletin boards not exceeding forty (40) square feet in area.
2. No sign shall exceed, from the ground elevation on which it is placed, thirty-five (35) feet in height in the C-1 zone district and fifty (50) feet in height in the AGC, C-2, C-3, C-4 and C-5 zone districts with the exception of signs as controlled in the following Paragraph 3.
3. In the C-4 Highway Interchange District, no sign shall exceed from the ground elevation on which it is placed, one hundred (100) feet in height when placed at the rear of the property and when such sign is located no further than two thousand five hundred (2,500) feet from the center point of the intersection of the Interstate Highway and its adjoining roadway.

### 8.6 H-1 Historical Districts

In an H-1 Historical District, the following regulations shall apply:

1. Informational signs may be displayed in connection with such use, but the total area of each sign shall not exceed nine (9) square feet and signs may have indirect lighting.
2. Flashing, rotating or intermittent illumination is prohibited.

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### 8.7 Industrial and Manufacturing Districts

In Industrial Districts the following regulations shall apply:

1. Flashing, rotating or intermittent illumination is prohibited.

### 8.8 CBD Central Business District

In the CBD District, the following regulations shall apply, and if the same subject matter is regulated elsewhere in the title, the more restrictive regulation shall apply:

1. The maximum total square footage for all wall and awning signs is one (1) square foot per linear foot of the structure's primary entrance frontage, and shall not exceed ten (10) percent of the surface to which it is affixed, whichever is lesser.
2. All projecting signs shall maintain a clear height of at least seven (7) feet above the finished elevation of the sidewalk. Such sign shall not project upon or over any sidewalk for more than four (4) feet, and shall not extend over a public street. For signs within (7) seven to ten (10) feet of the finished elevation of the sidewalk, the size of the projecting sign shall not exceed six (6) square feet in area. For signs within ten (10) to twelve (12) feet of the finished elevation of the sidewalk, the size of the projecting sign shall not exceed twelve (12) square feet in area. For signs twelve (12) feet and above the finished elevation of the sidewalk, the size of the projecting sign shall not exceed sixteen (16) square feet in area.
3. All awnings shall maintain a clear height of seven (7) feet above the finish elevation of the sidewalk and shall not project over any sidewalk more than six (6) feet, and shall not extend over a public street.
4. All new signs for which a permit is required must be reviewed and approved by the Central Business Improvement District's Design Review Board, upon a determination that the proposed signage is in conformance with the design guidelines as adopted by the Downtown District Partnership, or any amendment thereto.
5. In addition to all wall and awning signs, all window signs shall not exceed more than twenty-five (25) percent of the total window area of the primary entrance frontage.
6. Except as permitted in Section 8.9 of this Chapter, all freestanding signs shall not exceed thirty-two (32) square feet and shall not encroach upon any public right-of-way.

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7. **Flags, as defined and authorized in Subsection 2.2.53 of this Ordinance, shall have a seven-foot clearance from the finish elevation of the sidewalk and shall not exceed more than fifteen (15) square feet each. No principal structure shall be allowed more than two (2) flags.**
8. **Banners shall be allowed only when attached at all corners to the principal structure and shall obtain a temporary sign permit, which shall authorize the use of such a banner for a specified ten (10) day period. Banners shall provide for a ten (10) foot clearance and shall have only one such permit issued to the same business license holder per calendar quarter. The fee for a temporary permit shall be established by the Building Official.**
9. **Entrance and exit signs, for parking or directions, shall be four (4) square feet or less.**
10. **Signs must be illuminated in a manner that does not impair the visibility of motorists or pedestrians. Light sources shall be shielded to minimize the visibility of lamps and prevent overspray beyond the sign perimeter.**
11. **Exposed bulb signs are prohibited. No flashing, chasing, running or sequential lighting is permitted.**
12. **Except as provided in Section 8.9 of this Chapter, all portable signs are prohibited.**
13. **With the exception of projecting signs and awnings as described in this section, and except as provided in Section 8.9 of this Chapter, no private advertising signs shall be placed on or overhanging the public right-of-way.**
14. **No private sign shall be attached to a utility pole.**
15. **All pennants/streamers are prohibited. Provided, however, that any business use continuously displaying pennants or streamers on or before July 1, 2001, may continue to display such pennants/streamers in accordance with Chapter 8 of this Ordinance on all parcels employed for such business use.**
16. **Address signs, not more than one for each lot frontage or one for each principal entrance of the building and not exceeding seventy-two (72) square inches in surface area, showing only the numerical address designations of the premises upon which they are situated, are required. The area of such signs shall not be used in calculating any maximum area limitations on signage contained herein.**
17. **One sign not to exceed forty (40) square feet in area, indicating the name of the contractors, engineers, and/or architects of a project, during a construction period for which a building permit is required, is allowed.**

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18. Signs identifying or advertising relocated, permanently closed or non-existent businesses shall not be permitted. Owners may maintain legally permitted sign boards, enclosures and supports by removing or "painting out" obsolete lettering and logos to match the sign background for a uniform "blank" appearance. Open sign enclosures shall not be permitted.
19. Signs that are not properly maintained, deteriorated signs and abandoned signs shall be removed in their entirety.
20. Preservation of the cultural and historic character of downtown Clarksville is a valid object of zoning by the Clarksville City Council. Therefore, for the purpose of maintaining the historical character of the Clarksville Central Business District, the following signs shall be exempt from the regulations contained herein:
  - A. Signs which are a part of the original construction of any building constructed before 1970;
  - B. Signs which have been displayed continuously before 1970 at a location within the Central Business District.

### 8.9 Downtown Sidewalk Signs

Non-residential properties located within the shaded area defined in Figure ????. May display sidewalk signs under the following provisions:

1. One sidewalk sign is permitted for each business. Multiple signs are allowed for multi-tenant buildings.
2. Sidewalk signs may be displayed only during the business hours of operation.
3. Sidewalk signs must be placed outside of required Americans with Disabilities Act (ADA) walkways, outside of any required exits and/or entrances, and outside driveways.
4. The maximum size of each display face of a sidewalk sign is six (6) square feet.
5. The maximum height of a sidewalk sign is 36 inches, as measured above the sidewalk, and the maximum width is 24 inches.
6. Prior to placement, any proposed sidewalk sign design must be approved by the Downtown District Partnership Design Review Board.

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7. The owner shall propose methods to care for signs during windy weather to ensure the sign does not blow over, block walkways, and/or interfere with pedestrian or vehicular traffic. Measures may include approved weighting material or removal during such conditions.
8. Sidewalk signs may be allowed in the public right-of-way if the proposed location does not inhibit the free flow of pedestrian or vehicular traffic and meets the provisions of Subsection 3 above.
9. Prior to placement of any sidewalk sign, a sign permit shall first be obtained through the City Department of Building and Codes.

### 8.10 MLUD Mixed Land Use District and PUD Planned Unit Development District

In Planned Unit Development and Mixed Land Use Districts, the following regulations shall apply:

1. All on-premise ground and on-premise building signs must be approved as part of an overall signage plan. Such plan shall be reviewed by the Regional Planning Commission and may be included as part of the required site plan (Chapter 5.10) or may be submitted subsequent to such site plan. The signage plan shall be approved prior to the issuance of any sign permit for any portion of the proposed development.
2. Signage within the MLUD shall generally comply with Chapter 8, Sign Regulations, of this Ordinance. However, considering the unique character of the MLUD the Regional Planning Commission may allow for alternative signage design and placement within this District on a project specific basis.