



AGENDA ACTION FORM

**Consideration of an Ordinance to Amend the Zoning Code Text by Omitting the Historic Landmark Designation Requirement and Replacing the Required Review Committee with the Historic Zoning Commission in the Demolition by Neglect Ordinance.**

To: Board of Mayor and Aldermen  
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-5-2024  
Work Session: March 18, 2024  
First Reading: March 19, 2024  
Final Adoption: April 2, 2024  
Staff Work By: Ken Weems  
Presentation By: K. Weems

**Recommendation:**

Approve ordinance amending the zoning ordinance by omitting the historic landmark designation requirement and replacing the required review committee with the Historic Zoning Commission in the Demolition by Neglect Ordinance.

**Executive Summary:**

This is a staff-initiated zoning text amendment aimed at streamlining the Demolition by Neglect process. Staff has proposed two changes: 1. Omission of the historic landmark designation requirement as described in the Demolition by Neglect Ordinance. 2. Replacement of the “review committee” with the Historic Zoning Commission (HZC) in the Demolition by Neglect Ordinance. The omission of the historic landmark designation requirement is proposed due to finding no lawful requirement for such. The replacement of the review committee with the full HZC prevents potential for conflict of interest with the Building Official and his/her role in the Demolition by Neglect process (the composition of the review committee is the Building Official, a member of the HZC, and an engineer). Since the Building Official has the responsibility of conducting a demolition by neglect hearing if necessary, staff feels it is wise to remove the Building Official from the review committee by replacing the review committee with the HZC.

During their February 2024 regular meeting, the Kingsport Regional Planning Commission voted to send a positive recommendation to the Board of Mayor and Aldermen in support of approving the text amendment by a vote of 7-0. During their March 2024 regular meeting, the Kingsport Historic Zoning Commission voted to send a positive recommendation to the Board of Mayor and Aldermen in support of approving the text amendment by a vote of 6-0. The notice of public hearing was published on March 4, 2024.

**Attachments:**

- 1. Zoning Ordinance

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—