KINGSPORT
TENNESSEE

AGENDA ACTION FORM

Public Hearing and Consideration of an Ordinance to Amend City Code as it Pertains to Public Art and Murals

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager CM

Action Form No.:	AF-135-2024	Final Adoption:	June 4, 2024
Work Session:	May 20, 2024	Staff Work By:	Committee
First Reading:	May 21, 2024	Presentation By:	Ken Weems

Recommendation:

- Conduct Public Hearing
- Approve the Ordinance

Executive Summary:

This ordinance will create a definition public art in the code under the Public Art Committee purview and amend the definition of mural in the Zoning Definitions and remove the requirement for Board of Mayor and Aldermen approval for murals on privately-owned buildings if they receive permit approval through the Planning Department.

Currently, the City Code lacks a definition of public art. The proposed definition would be as follows: Public Art shall be defined as art commissioned by the public art committee utilizing public funds that are intended to be permanent or semi-permanent in nature. The other proposed change would be to eliminate further describing words in the ordinance that relate to art approved by the Board of Mayor and Aldermen in favor of using the public art definition.

In the Zoning Code, the definition of mural is proposed to be changed to allow words and phrases so long as they are not specifically advertising or promoting a business, product, or service. The new proposed definition is as follows: Mural means any work of art painted or otherwise directly applied on a building, structure, fence, or other object within public view. The work does not contain text, graphics, or symbols which specifically advertise or promote a business, product, or service.

Other proposed changes to the Zoning Code include elimination of the need for the Board of Mayor and Aldermen to approve murals in both downtown Zoning Districts. A mural application will be created to ensure that murals are compliant with the definition, as amended, as well as the sign code (if applicable). A new section describing the Mural Application process is proposed to be added to the zoning code that would apply to all zoning districts. This process would include address, written consent from property owner, name of the artist, as well as a scaled drawing with dimensions.

A notice of public hearing was published in the Kingsport Times News on May 6, 2024, and the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation to the Board for this proposed change. A red-lined version of the changes is attached in supplemental information.

Attachments:

1. Ordinance
2. Notice of Public Hearing
3. Supplemental Information

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