

Religious Assembly Zoning Text Amendment

Property Information	City-wide		
Address			
Tax Map, Group, Parcel			
Civil District			
Overlay District			
Land Use Designation			
Acres			
Existing Use		Existing Zoning	
Proposed Use		Proposed Zoning	
Owner /Applicant Information			
Name: City staff initiated Address: City: State: Zip Code: Email: Phone Number:		Intent: To amend Chapter 114, Zoning, by adding religious assembly as a principal use in the M-1, M-1R, and MX Manufacturing zones.	
Planning Department Recommendation			
(Approve, Deny, or Defer) The Kingsport Planning Division recommends APPROVAL			
Planner:	Ken Weems	Date:	7/1/2025
Planning Commission Action		Meeting Date:	7/17/2025
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

INTENT

To amend Chapter 114, Zoning, by adding religious assembly as a principal use in the M-1, M-1R, and MX (Manufacturing and Mixed Use) zones.

Introduction:

The Planning department, in recent times, has received several inquiries about establishment of churches in the City's light manufacturing zones and our mixed-use zoning district. Specifically, the M-1, Light Manufacturing, M-1R, Light Manufacturing Restricted, and the MX, Mixed-Use Zones are being considered for the addition of religious assembly as a principal use in each of the three zones listed.

Presentation:

The full text of the M-1, M-1R, and MX zones is provided at the end of this report for proper context. Staff feels that this change is most aligned with the Bristol, TN zoning ordinance that allows church or religious assembly as a principal use in their light industrial zone. Staff feels that the traffic impact would be similar to industrial workers and associated swing shifts, yet much less frequent and with typical maximum use occurring on Sundays as opposed to the work week. To ensure that any church use in an industrial zone can operate fully, the accessory use of outside recreation is afforded for religious assembly as well.

Proposal with newly proposed language highlighted in yellow:

Sec. 114-197. - M-1, Light Manufacturing District. (Principal Uses)

(3) Other industrial and manufacturing such as auto parts rebuilding, battery manufacturing; nondairy and nonfood product bottling plants; box and crate assembly; building materials sales; rental and storage yards; bag, carpet and rug cleaning and dyeing; cabinet shops; canneries; caterers; cooperages; crematories; dextrine and starch manufacturing; enameling, lacquering and japanning; felt manufacturing; electric foundry; furniture manufacturing; inflammable underground liquid storage; iron works (ornamental); laboratories (experimental, film or testing); lumber sales and lumberyard; nut and bolt manufacturing and wire drawing; parcel delivery stations; phonograph record manufacturing; public utility service yard; radium extraction; railway or truck terminal; stone monument works; tool manufacturing; vehicle storage yard; welding, other metal working shops, wholesaling, warehousing; breweries, craft breweries, wineries, distilleries; **religious assembly**.

Sec. 114-197. - M-1, Light Manufacturing District. (Accessory Uses)

(c) *Accessory uses.* Accessory uses which are accessory, incidental and subordinate to principal uses are permitted in the M-1 district as follows: on-site dwelling unit for caretaker; office, recreation and food service for employees; **outdoor recreation associated with religious assembly**; and incidental retailing of products manufactured on site.

Sec. 114-353. - Permitted uses. (MX, Mixed-Use District Permitted Uses)

(4) Public uses such as armories, auditoriums, meeting halls, coliseums, recreational facilities, stadiums, governmental uses, **religious assembly**, public parks and public or private utilities.

It is important to note that no text changes have to happen to the M-1R section of city code to achieve the same effect. This is due to the principal and accessory uses in the M-1 zone being the same as in the M-1R zone. This is exhibited in the full text of each zoning district as shown below:

BEGINNING OF FULL TEXT FOR THE M-1, M-1R, AND MX ZONES STARTS BELOW. ALL PROPOSED TEXT ADDITIONS ARE HIGHLIGHTED IN YELLOW.

Sec. 114-197. M-1, Light Manufacturing District.

- (a) *Intent.* The M-1, Light Manufacturing District is intended for industrial, manufacturing and other uses generally having a lower intensity of smoke, noise, odor, heat, vibrations, light, waste generation and similar characteristics than for M-2 districts.
- (b) *Principal uses.* All principal uses shall meet all local, state and federal requirements for control of air, water and noise pollution. Every use shall be conducted in a completely enclosed building, except for outdoor storage which shall be enclosed by a wall or fence at least six feet high. Principal uses permitted in the M-1 district are as follows:
- (1) Manufacturing, compounding, assembling, processing, packaging or similar treatment of articles of merchandise from the following previously prepared materials: bone, canvas, cellophane, cellulose, cloth, cork, feather, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious and semiprecious metals, stones, rubber, sheet metal excluding large stampings, shell, textiles, tobacco, wax, wire, wood excluding sawmills and planing mills, and yarn.
 - (2) Manufacturing, compounding, assembling, processing, packaging or similar treatment of such products as: bakery goods, billboards, candy, ceramics, cosmetics, drafting instruments, electrical parts, appliances, electronic instruments, food products, meat, meat packaging, ice cream, medical and dental instruments, musical instruments, pharmaceuticals, pottery, china or figurines, radios, record players, rubber and metal stamps, rubber products, scientific instruments and equipment, shoes, television receivers, toiletries, soaps and detergents, toys and watches and clocks.
 - (3) Other industrial and manufacturing such as auto parts rebuilding, battery manufacturing; nondairy and nonfood product bottling plants; box and crate assembly; building materials sales; rental and storage yards; bag, carpet and rug cleaning and dyeing; cabinet shops; canneries; caterers; cooperages; crematories; dextrine and starch manufacturing; enameling, lacquering and japanning; felt manufacturing; electric foundry; furniture manufacturing; inflammable underground liquid storage; iron works (ornamental); laboratories (experimental, film or testing); lumber sales and lumberyard; nut and bolt manufacturing and wire drawing; parcel delivery stations; phonograph record manufacturing; public utility service yard; radium extraction; railway or truck terminal; stone monument works; tool manufacturing; vehicle storage yard; welding, other metal working shops, wholesaling, warehousing; breweries, craft breweries, wineries, distilleries; **religious assembly**.
 - (4) Communication facilities.
- (c) *Accessory uses.* Accessory uses which are accessory, incidental and subordinate to principal uses are permitted in the M-1 district as follows: on-site dwelling unit for caretaker; office, recreation and food service for employees; **outdoor recreation associated with religious assembly**; and incidental retailing of products manufactured on site.

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- (d) *Special exceptions.* Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the M-1 district as follows:
- (1) Public utilities and public service uses and structures.
 - (2) Indoor recreational facilities such as tennis courts, racquet ball courts, gymnasiums, offices, etc.
- (e) *Prohibited uses.* Uses prohibited in the M-1 district are as follows:
- (1) Residential, business as principal uses.
 - (2) All uses in the M-2 district not included in the M-1 district.
 - (3) Auto wrecking yard and junkyard.
- (f) *Dimensional requirements.* The minimum and maximum dimensional requirements for the M-1 district are as follows:
- (1) *Minimum requirements.*
 - a. Lot area, not applicable.
 - b. Lot frontage, not applicable.
 - c. Front yard, 20 feet.
 - d. Each side yard, not applicable.
 - e. Rear yard, not applicable.
 - f. Usable open space, not applicable.
 - (2) *Maximum permitted.*
 - a. Lot coverage, 85 percent.
 - b. Building height, not applicable.
- (g) *Signs.* See article IV of this chapter for sign provisions.
- (h) *Parking.* See article VI of this chapter for parking and loading provisions.

(Code 1981, app. A, art. IV, § 9; Code 1998, § 114-206; Ord. No. 4018, § IV(26), 3-21-1995; Ord. No. 4276, § I, 9-3-1996; Ord. No. 6388, § V, 4-1-2014)

Sec. 114-198. M-1R, Light Manufacturing Restricted District.

- (a) *Intent.* The M-1R, Light Manufacturing Restricted District is the same as the M-1 district, except that provisions are greater for light and air and for physical appearance.
- (b) *Principal uses.* Principal uses permitted in the M-1R district are the same as for the M-1 district.
- (c) *Accessory uses.* Accessory uses which are accessory, incidental and subordinate to principal uses are permitted in the M-1R district the same as for the M-1 district.
- (d) *Special exceptions.* Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the M-1R district the same as for the M-1 district.
- (e) *Prohibited uses.* Uses prohibited in the M-1R district are the same as for the M-1 district.
- (f) *Dimensional requirements.* The minimum and maximum dimensional requirements for the M-1R district are as follows:

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- (1) *Minimum requirements.*
 - a. Lot area, not applicable.
 - b. Lot frontage, not applicable.
 - c. Front yard, 50 feet.
 - d. Each side yard, 15 feet.
 - e. Rear yard, 25 feet.
 - f. Usable open space, not applicable.
 - (2) *Maximum permitted.*
 - a. Lot coverage, 80 percent.
 - b. Building height, not applicable.

Note. A minimum of 20 feet of the required front yard shall be landscaped with grass, trees and shrubs. Landscaping must be accomplished prior to any occupancy and use of the property.

(g) *Signs.* See article IV of this chapter for sign provisions.

(h) *Parking.* See article VI of this chapter for parking and loading provisions.

(Code 1981, app. A, art. IV, § 9; Code 1998, § 114-207; Ord. No. 4018, § IV(27), 3-21-1995; Ord. No. 4276, § I, 9-3-1996)

DIVISION 8. MIXED-USE DISTRICT (MX)

Sec. 114-352. Intent.

The intent of the MX, Mixed-Use District is to allow flexibility in the development of compatible mixed-use areas of light manufacturing, professional office and limited commercial uses and to do so by developing a self-contained, campus-like atmosphere which protects the adjacent land uses.

(Code 1981, app. A, art. X, § 1; Code 1998, § 114-426)

Sec. 114-353. Permitted uses.

Uses permitted in the MX, Mixed-Use District are as follows:

- (1) Offices for brokers, businesses, computers, data processing, credit agencies, finance, government, law, medical, photography, real estate and travel agencies.
- (2) Single-family, two-family and multifamily residential.
- (3) Retail or service uses such as hotels, motels, limousine service, motor vehicle rental, restaurants, service stations, vehicle storage and day care facilities.
- (4) Public uses such as armories, auditoriums, meeting halls, coliseums, recreational facilities, stadiums, governmental uses, religious assembly, public parks and public or private utilities.
- (5) Manufacturing, assembling, processing, packaging or similar treatment of such products as: appliances, automobiles (including rebuilding and reconditioning), bolt or screw thread rolling or cutting, bottle making, box and crate assembly, bronze casting, canvas, carpets, rugs, celluloid and pyroxyline,

ceramics, china or figurines, cosmetics, die casting and making, drafting instruments, electrical parts, electronic instruments, fiberglass, food products, forge, foundry, furniture, heating equipment, laboratories (experimental), medical and dental instruments, musical instruments, parcel delivery stations, pharmaceuticals, phonograph records, pottery, radios, record players, rubber and metal stamps, scientific instruments and equipment, shoes, television receivers, textiles, toiletries, tools, toys, watches, clocks and woven wire.

- (6) Warehousing, ministorage and trucking terminals.
- (7) On-premises and off-premises alcoholic beverage sales.
- (8) Communication facilities.

(Code 1981, app. A, art. X, § 2; Code 1998, § 114-427; Ord. No. 4018, § V, 3-21-1995; Ord. No. 4276, § I, 9-3-1996; Ord. No. 6388, § VII, 4-1-2014; Ord. No. 6474, § I, 4-7-2015)

Sec. 114-354. Accessory uses.

In the MX district, accessory uses shall be subordinate or incidental to the principal use or structure and may include such uses as on-site cafeterias for employees, incidental retailing of products manufactured on site, permanent caretaker residences or substantially similar uses.

(Code 1981, app. A, art. X, § 3; Code 1998, § 114-428)

Sec. 114-355. Reserved.

Editor's note(s)—Ord. No. 6474, § II, adopted Apr. 7, 2015, repealed § 114-355, which pertained to special exceptions and derived from Code 1981, app. A, art. X, § 4; and Code 1998, § 114-429.

Sec. 114-356. Prohibited uses.

The following uses have been determined to be incompatible with the intent of the MX district: wrecking yards and junkyards; recycling; tanneries; tobacco, wax, wire, wood (as in sawmills), and yarn production.

(Code 1981, app. A, art. X, § 5; Code 1998, § 114-430)

Sec. 114-357. Locational standards.

The following standards shall apply in the MX district:

- (1) *Size*. The district shall be 25 acres or greater in size.
- (2) *Frontage/access*. The mixed-use district shall have frontage on and access from a street designated in the major street and road plan as a collector, arterial or expressway/freeway.
- (3) *Utilities*. The provider of sewer and water services to the site proposed for rezoning to the district must be identified. A timeframe for installation of utilities shall be submitted with the rezoning request and shall include a statement by the utility provider that water and sanitary sewer service can be provided to the site within the timeframe proposed.

(Code 1981, app. A, art. X, § 6; Code 1998, § 114-431)

Sec. 114-358. Design standards.

The following dimensional standards shall apply in the MX district:

- (1) *Lot area.* The minimum lot area within the mixed-use district shall be one acre.
- (2) *Periphery yard.* The district shall have a 30-foot landscaped development-free buffer. Structures or parking shall not be permitted in this periphery yard.
- (3) *Building setback.* The setbacks to be observed are a:
 - a. 30-foot front yard;
 - b. 30-foot rear yard, not required if the rear property line is a railroad right-of-way boundary; and
 - c. 15-foot side yard.
- (4) *Building height.* A height to side yard ratio of 2:1 shall be observed above 30 feet.
- (5) *Ground coverage.* Ground coverage for each use in the mixed-use district shall not exceed 50 percent of the lot.
- (6) *Parking and loading.* Parking and loading facilities shall be as required by article VI of this chapter.
- (7) *Lighting.* All lighting shall be sufficient for the safe use of the facilities, which shall not create a traffic hazard or glare for any surrounding residential area.
- (8) *Signs.*
 - a. Single tenant businesses are permitted freestanding signs provided that:
 1. The sign surface area does not exceed 32 square feet per side or a total of 64 square feet for all sides;
 2. Lots with multiple street frontages are allowed a total of two signs;
 3. Height shall not exceed five feet above the ground; and
 4. Signs shall be indirectly illuminated.
 - b. Each mixed-use park within the district shall be permitted access identification signs, provided:
 1. Only one such sign is located at each major access point.
 2. The sign shall not exceed 50 square feet per side or a maximum of 100 square feet total of all sides.
 3. The maximum height of such signs shall be 20 feet.
 4. Signs shall be indirectly illuminated.
 5. The sign shall be permitted in a grassed median within a right-of-way, provided the sign does not interfere with traffic.
 - c. Each mixed-use park within the district shall be permitted one master identification sign which shall be permitted up to 50 feet in height and 300 square feet per side with a two-side maximum. This sign may be located within a grassed median within a right-of-way. If located on a lot, the master identification sign shall not be included in the total of freestanding signs for single-tenant businesses.
 - d. Wall signs are permitted equivalent to one percent of the building ground coverage area. A business having less than 4,000 square feet of area may utilize up to 40 square feet of signage.

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- (9) **Access.** Access to individual lots shall be by interior streets, either private or public, which have been approved by the planning commission, subject to the following:
- a. The roadway pavement for two-way traffic on private streets shall be at least 24 feet in width and for one-way traffic at least 14 feet in width, with no on-street parking permitted.
 - b. All private roadways, travel ways and parking areas shall be paved with a hard-surface material as required by the city engineer.
 - c. Curbs, gutters, retention facilities, paved or sodded swales or other methods to control stormwater runoff from private streets may be required if determined to be needed by the city engineer.
 - d. Private streets shall be constructed to meet the typical cross section requirements of the city for industrial streets.

(Code 1981, app. A, art. X, § 7; Code 1998, § 114-432)

Sec. 114-359. Master plan approval.

The planning commission shall grant approval of a master plan before the establishment of the mixed-use district. The contents of the master plan shall include:

- (1) Signage;
- (2) Ingress/egress;
- (3) Availability and adequacy of utilities;
- (4) Buffer strip (periphery yard);
- (5) Adjacent transportation network;
- (6) Internal street layout; and
- (7) A conceptual layout of the varying types of land uses (i.e., general location of offices, multifamily residential, retail/service, public, manufacturing and warehousing).

(Code 1981, app. A, art. X, § 8; Code 1998, § 114-433)

Sec. 114-360. Final development plan and building permit.

For the MX district, a final zoning development plan shall be submitted which conforms substantially to the master plan. No building permit for a development in a mixed-use district shall be issued by the building official until such a plan is submitted and approved by the zoning administrator and determined to be in conformance with this chapter.

(Code 1981, app. A, art. X, § 9; Code 1998, § 114-434; Ord. No. 6730, § XI, 6-19-2018)

Secs. 114-361—114-378. Reserved.

Staff recommends sending a positive recommendation to the Kingsport Board of Mayor and Aldermen in support of approving the zoning text amendment.