

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 2-413 AND VARIOUS SECTIONS WITHIN CHAPTER 114 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, RELATIVE TO PUBLIC ART AND MURALS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That Section 2-413 of the Code of Ordinances, City of Kingsport, Tennessee is hereby amended to read as follows:

Sec. 2-413 Public Art Policy

(a) 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.

(b) The public art committee shall develop public art policies and guidelines for consideration by the board of mayor and aldermen. It shall also establish a plan and a priority for public art projects within the city limits. The committee shall establish selection committees for each individual public art project and oversee the request for proposal process. All matters concerning public art shall first be referred to the public art committee for consideration, coordination and recommendation to the board of mayor and aldermen. The public art committee shall serve in an advisory capacity to the board of mayor and aldermen for all matters involving public art.

SECTION II. That Section 114-1 of the Code of Ordinances, City of Kingsport, Tennessee is hereby amended to strike "*Sign, mural*" from the defined terms and provide for the definition of *Mural* to read as follows:

Mural, means a 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 pertaining to the use conducted on the premises.

SECTION III. That Section 114-194 of the Code of Ordinances, City of Kingsport, Tennessee is hereby amended to strike subsection (g)(3) pertaining to murals so as to cause subsection (g) to read as follows:

(g) Signs.

(1) Freestanding Signs. Freestanding signs are permitted only for existing buildings with a setback from the front property line of ten feet or greater. Freestanding signs must be monument signs, not to exceed eight feet in height, including the sign base. Maximum sign square footage shall not exceed 50 square feet, with no more than 25 square feet per side. Sign bases should be constructed of brick, stone, or other durable materials.

(2) Wall Signs. Single-tenant businesses and multitenant centers are permitted wall signs equivalent to one percent of the business's building ground coverage

area up to 100 square feet total signage. Businesses having less than 5,000 square feet area may utilize up to 50 square feet of signage.

(3) Electronic message boards are prohibited in the B-2 district.

(4) Blade Signs. Blade signs are encouraged and a blade sign not exceed six (6) square feet can be provided in addition to wall signage on any façade that has a sidewalk or entrance. One blade sign per exterior wall is permitted. A blade sign is an ornamental rod extending perpendicular from the building no more than six (6) linear feet with a hanging sign suspended from it at a 90 degree angle from building face and street right-of-way. Blade signs shall be placed a minimum of nine (9) feet above sidewalk level to the bottom of the blade sign. Text and graphics on either or both ends of an awning that are oriented perpendicular to the building face for pedestrian view and are no more than six (6) square feet may be provided in lieu of a blade sign.

SECTION IV. That Section 114-203 of the Code of Ordinances, City of Kingsport, Tennessee is hereby amended to strike subsection (g)(3) pertaining to murals so as to cause subsection (g) to read as follows:

(g) Signs.

(1) Freestanding Signs. Freestanding signs are permitted only for existing buildings or new construction with a setback from the front property line of ten feet or greater. Freestanding signs must be monument signs, not to exceed eight feet in height, including the sign base. Maximum sign square footage shall not exceed 50 square feet, with no more than 25 square feet per side. Sign bases should be constructed of brick, stone, or other durable materials.

(2) Wall Signs. Single-tenant businesses and multitenant centers are permitted wall signs equivalent to one percent of the business's building ground coverage area up to 150 square feet total signage. Businesses having less than 5,000 square feet area may utilize up to 50 square feet of signage.

(3) Electronic message boards are prohibited in the B-2E district.

(4) Blade Signs. Blade signs are encouraged and a blade sign not exceed six square feet can be provided in addition to wall signage on any façade that has a sidewalk or entrance. One blade sign per exterior wall is permitted. A blade sign is an ornamental rod extending perpendicular from the building no more than six linear feet with a hanging sign suspended from it at a 90 degree angle from building face and street right-of-way. Blade signs shall be placed a minimum of nine feet above sidewalk level to the bottom of the blade sign. Text and graphics on either or both ends of an awning that are oriented perpendicular to the building face for pedestrian view and are no more than six square feet may be provided in lieu of a blade sign.

SECTION V. That Section 114-530 of the Code of Ordinances, City of Kingsport, Tennessee is hereby amended to add a new section (Section 114-538).

Section 114-538

Mural proposals require a sign permit and are only allowed in the following zoning districts: P-1, Professional Offices District; TA/C, Tourist Accommodation/Commerce District; B-1, Neighborhood Business District; B-2, Central Business District; B-2E, Central Business Edge District; B-3, Highway

Oriented Business District; B-4P, Planned Business District; and BC, Business Conference District.

That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

PASSED ON 1st READING: _____

PASSED ON 2nd READING: _____