

### Mural Zoning Text Amendment

<b>Property Information</b>	City-wide		
<b>Address</b>			
<b>Tax Map, Group, Parcel</b>			
<b>Civil District</b>			
<b>Overlay District</b>			
<b>Land Use Designation</b>			
<b>Acres</b>			
<b>Existing Use</b>		<b>Existing Zoning</b>	
<b>Proposed Use</b>		<b>Proposed Zoning</b>	
<b>Owner /Applicant Information</b>			
<b>Name:</b> City staff initiated <b>Address:</b> <b>City:</b> <b>State:</b> <b>Zip Code:</b> <b>Email:</b> <b>Phone Number:</b>		<b>Intent:</b> To amend Chapter 114, Zoning, as it pertains to mural regulations.	
<b>Planning Department Recommendation</b>			
(Approve, Deny, or Defer) The Kingsport Planning Division recommends APPROVAL			
<b>Planner:</b>	Ken Weems	<b>Date:</b>	7/1/2024
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	7/18/2024
<b>Approval:</b>			
<b>Denial:</b>		<b>Reason for Denial:</b>	
<b>Deferred:</b>		<b>Reason for Deferral:</b>	

**INTENT**

To amend Chapter 114, Zoning, as it pertains to mural regulations.

Introduction:

City staff is proposing several zoning text changes in an effort to hasten the approval process for murals proposed inside City limits.

Presentation:

Currently, only murals proposed in the B-2 and B-2E (downtown) zones are required to have approval granted by the Board of Mayor and Aldermen (BMA). Murals outside the downtown zones of B-2 and B-2E do not require BMA approval. Staff is proposing the deletion of the BMA approval aspect for downtown murals in favor of a staff-level approval. The rationale for this change is that BMA approval is unnecessary if the guidelines are met with a mural proposal.

Additionally, staff is proposing a change in the definition of a mural in the zoning text, to help staff make more defensible decisions for future mural proposals. The definition change will allow letters and words that do not reference a business as part of a mural. With the current mural definition, letters cannot be permitted as part of a mural.

Staff is proposing basic permitting criteria. The criteria only requires the address of the site, confirmation of property owner consent for the mural, contact information for the artist, and a scale drawing or color photo of the proposal with dimensions. A \$50 application fee is required

The Planning Commission originally reviewed and approved this text amendment in May of 2024. Since the May meeting, concern was expressed about permitting murals in residential zones. This July proposal restricts murals to business areas, more specifically the P-1, TA/C, B-1, B-2, B-2E, B-3, B-4P, and BC zones. The restriction to business areas as opposed to having the mural allowance apply to all zoning districts, is the sole change for this item from when the Commission reviewed the matter in May 2024.

The specific mechanics of the changes are presented in the following pages along with the accompanying four sections to be amended.

Four proposed changes to the zoning code as it pertains to murals:

## Change 1

Sec. 114-1. – Definitions.

~~Sign, mural, means any mosaic, painting, photograph, graphic art technique, or combination thereof placed on the wall and containing no copy, advertising symbols, lettering, trademarks or other references to the premises or to the products and/or service offered for sale on the premises.~~

**Replace with:**

*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

## Change 2

Sec 114-194. – B-2, Central Business District

(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)Murals and banners shall not be permitted in the B-2 district, except as approved by the board of mayor and aldermen.~~

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

(5)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.

## Change 3

Sec 114-203. – B-2, Central Business District

(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)Murals and banners shall not be permitted in the B-2E district, except as approved by the board of mayor and aldermen.~~

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

(5)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.

## Change 4

### New Section 114-538

Murals 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.

Permit criteria for the mural permit will consist of the following:

- A. Address of the property of proposed mural;
- B. Written consent from the property owner giving permission to place the mural on the building;
- C. Contact information of artist/team leader;
- D. Scale drawing and color photo of the building showing proposed size and location of the mural. Drawings shall include the dimensions, construction supports, sizes, foundation, electrical wiring and components, materials of the mural and method of attachment and character of structure members to which attachment is to be made. The design, quality, materials and loading shall conform to the requirements of the adopted Building Code.

Staff recommends sending a positive recommendation to the Board of Mayor and Aldermen in support of the proposed zoning text changes.