

Mural 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, as it pertains to mural regulations.	
Planning Department Recommendation			
(Approve, Deny, or Defer) The Kingsport Planning Division recommends APPROVAL			
Planner:	Ken Weems	Date:	5/1/2024
Planning Commission Action		Meeting Date:	5/16/2024
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

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, 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, this change will treat murals proposed in the downtown zones the same way murals are treated in all other city zones.

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

Finally, staff is proposing basic permitting guidelines that will be staff level approval. 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 to accompany these requirements has been proposed to start in July 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.

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

Sec 114-530. – Applicability to all zoning districts

(12) Devices. Any streamer, flag, air- or gas-filled device, searchlight or any other device whose purpose is to attract the attention of the public shall be allowed two times per calendar year per proprietor, for a maximum of 15 days per event, and such devices shall require a permit issued by the building official.

proposed new text shown as the new # 13 below

(13) Mural Application Permit: Applications for a mural permit shall provide the following information:

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.