

ORDINANCE NO. 6545

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES,
CITY OF KINGSPORT, TENNESSEE, AND TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, AS FOLLOWS:

SECTION I. That the Code of Ordinances, City of Kingsport, TN is hereby amended by adding a section numbered 114-202, B-2E (Central Business Edge District), which section reads:

(a) *Principal uses.* Principal uses permitted in the B-2E, Central Business Edge District are as follows:

- (1) Establishments retailing goods and merchandise such as food, groceries, clothing, hardware, toiletries, furniture and furnishings, gasoline, meals, vehicles, boats, trailers, jewelry, appliances and similar items.
- (2) Financial offices.
- (3) Residential, except single-family detached dwellings.
- (4) Establishments for the sale or provision of personal appearance or care, finance, clothing and goods repair, offices (including legal, insurance, and real estate offices), printing, parking, entertainment, recreation, hotels, motels, educational institutions, food and drink, brewpubs, craft breweries, distilleries, wineries, museums.
- (5) On-premises and off-premises alcoholic beverage sales.
- (6) Climate-controlled indoor storage, provided that said facilities are only permitted to occupy existing buildings.
- (7) Municipal and other government uses.

(b) *Accessory uses.* Uses that are accessory, incidental and subordinate to principal uses are permitted in the B-2E district as follows: wholesaling, warehousing and light industry when accessory and incidental to a retailing or service activity. Storage other than climate-controlled indoor storage as described in (a)(6) is permitted when accessory and incidental to a residential use.

Special exceptions. Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the B-2E district as follows: communication facilities and facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site.

Prohibited uses. Uses prohibited in the B-2E district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
- (2) Truck terminals and freight yards.
- (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills.

- (4) Single-family detached dwellings.
- (e) *Dimensional requirements.* The minimum and maximum dimensional requirements for the B-2E district are as follows:
- (1) *Minimum requirements.* No requirements are applicable to this district.
 - (2) *Maximum permitted.*
 - (a) *Setbacks.* Structures housing principal uses shall have a maximum setback from the front property line of 20 feet, excepting uses as described in (a)(7). Structures housing uses as described in (a)(1) and (a)(3) through (a)(6) as a principal use at ground level shall be built to the property line for at least 75% of the building frontage.
 - (b) *Building Height.* Building height shall not exceed 74 feet as measured from grade to the top of the roof structure, excluding parapet walls or cornices.
- (f) *Design Requirements.*
- (1) *Fenestration.* The percentage of openings for glass fenestration on the first floor facing public streets, excluding alleys, for retail and office uses is required to be a minimum of 15% of the total façade area from finish floor line to finish floor line. Institutional uses, theatres and performance venues may reduce this requirement upon demonstrating that a hardship exists due to programming or structural uses that would preclude meeting the requirement.
 - (2) *Cladding.* Building materials for areas visible from streets, excluding alleys, shall consist of one or more of the following: brick, architectural block, architectural metal, plate glass, and precast concrete panels. Accent materials may include stucco or EIFS, stone, and wood. Pre-engineered metal, painted or natural concrete block, composite building materials, and vinyl siding are prohibited.
 - (3) *Concealed Equipment.* The following shall be located or screened so as not to be visible from any street, excluding alleys: air conditioning compressors, window and wall air conditioners, cooling towers, dumpsters, electrical and utility meters, irrigation and pool pumps, permanent barbecues, satellite antennae, utility appurtenances, mechanical rooftop equipment or ventilation apparatus.
 - (4) *Drive-throughs.* Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, are permitted only as special exceptions by the board of zoning appeals. Drive-throughs shall not be accessed from the following streets: Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street. Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or less per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, should not take their access via Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street if possible.
 - (5) *Sidewalks and Streetscapes.* If a master plan containing sidewalk and/or streetscape recommendations has been adopted by the board of mayor and aldermen for an area, sidewalk or streetscape improvements proposed as part of new development or redevelopment shall comply with the recommendations.
- (f) *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 (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.

(g) *Parking.*

(1) *Non-residential uses.* No parking is required for non-residential uses. Any parking lot with ten (10) or more spaces must meet the landscape requirements of Section 114-600(d). Parking lot landscaping requirements may be reduced if enhancements to public space, sidewalks, streetscapes, or parking lot screening are proposed by the property owner.

(2) *Residential uses.* Residential uses in the B-2E zone of 12 units or less are not required to provide parking. New construction or renovation of an existing building that results in the construction of 13 or more residential units shall provide 1.5 spaces per unit, either:

(a) Onsite.

(b) Within 1250 feet of the development site through a written arrangement with the external site's property owner or lessee, a copy of which must be filed with the Planning Division and verified annually; this may include shared parking arrangements;

(3) *Screening.* Surface parking adjacent to any street, excluding alleys, must be screened with a wrought iron style fence with a minimum height of four feet or a planted buffer at least five feet wide. Support piers for the fence must be constructed of brick or other masonry materials; painted or natural concrete block is prohibited. The planted buffer shall be planted with a minimum of one canopy tree and six shrubs per 25 feet of street frontage. Reductions in screening requirements and buffer width may be requested due to site conditions, including limited space on site or screening being available through other means, or if enhancements to public space, sidewalks, or streetscapes are proposed by the property owners. Alleys are not required to be screened.

SECTION II. That, Section 114-533 of the Code of Ordinances, City of Kingsport, Tennessee is amended by adding a new subsection, which subsection reads as follows:

(15) *B-2E (Central Business Edge District)*

See B-2E (Central Business Edge District).

SECTION III. 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.

JOHN CLARK, Mayor

ATTEST:

ANGELA MARSHALL
Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: February 2, 2016

PASSED ON 2ND READING: February 16, 2016