



Growth Management Policy Development 2014

Issue:

In the 2014 legislative session, legislation abolishing annexation by ordinance was signed into law by Governor Haslam (PC 0707). Annexations can only take place by referendum or if property owners request to be annexed. However, land in agricultural use may only be annexed with consent of the farm owner regardless of the method of annexation. The legislation also directs the Tennessee Advisory Commission for Intergovernmental Relations (TACIR) to conduct a comprehensive study of state policy related to growth plans and changing city boundaries.

Public Chapter 1101 (PC 1101), also known as the Growth Policy Act, was enacted in 1998. PC 1101 required municipalities to establish twenty-year urban growth boundaries as areas which they would be able to annex over the life of the plan. Framers of the act saw the legislation as a method to responsibly manage growth of cities across the state by placing growth restrictions on municipalities and giving predictability to the fate of surrounding properties.

This is an issue which is expected to be discussed increasingly as the life of growth boundaries comes to a close.

Questions:

Should PC 1101 be completely repealed allowing municipalities to annex any areas approved by a referendum?

When the 20 year lifespan of urban growth boundaries expires, should municipalities be required to implement new urban growth boundaries?

Are there other issues Farm Bureau should confront which are not addressed in either the annexation law or the growth management law?

Background:

In 1998, the Growth Policy Act was enacted to promote smart growth by municipalities. Today, laws are in place to override some policies set forth in PC 1101. As of July 1, 2014, municipalities are required by state law to manage annexation in two ways. They must:

- 1) Operate under the guidelines set forth by PC 1101 and restrain any growth to within their twenty-year urban growth boundary.
- 2) Follow provisions of PC 0707 which abolishes any annexation by ordinance.

In five years, the original lifespan of urban growth boundaries will expire, which brings into question a number of concerns that will need to be addressed. The situation complicates when you consider PC 1101 was enacted prior to the abolition of annexation by ordinance, and the laws weren't necessarily designed to work with one another.

Farm Bureau Policy:

Annexation (Partial)

We support the sections of the growth management law designed to protect the property rights of farmers. The Tennessee Farm Bureau Board of Directors should closely monitor the law to ensure the best interest of Tennessee agriculture is served. Tennessee's growth management law was passed in 1998 to provide a twenty year growth plan framework for each county. The Tennessee General Assembly should study the strengths and weaknesses of the current law to determine how to move forward after 2018 with a policy that is best for all landowners.

Before annexation, citizens in the area affected should have the right to vote to be annexed or to remain outside the municipality.