

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 09-19

AMENDING THE HICKMAN COUNTY ZONING RESOLUTION WITH RESPECT TO GROWTH PLAN COMPLIANCE

WHEREAS, Hickman County implemented a land use plan with passage of Resolution No. 05-32 (Zoning Resolution) on July 18, 2005 and which has been amended from time to time; and

WHEREAS, Public Chapter 1101 (Growth Policy Law) enacted by the Tennessee Legislature in May, 1998, mandated certain language with respect to “Zoning Districts” be inserted into a county’s Zoning Resolution; and

WHEREAS, the members of the Board of County Commissioners of Hickman County are desirous of inserting said language to its Zoning Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 22nd day of June, 2009, that:

SECTION 1: “Section 4.010 – Classification of Districts” of the Hickman County Zoning Resolution is hereby stricken in its entirety with the following being inserted in its place:

4.010 ESTABLISHMENT OF DISTRICTS

4.011 Relationship to Public Chapter 1101

Upon approval of the Urban Growth Plan for Hickman County, each municipality and the county government are committed to a process that is intended to direct growth and development on a countywide basis for the next twenty (20) years. This plan, as specified in the law, establishes three (3) types of growth areas:

Urban Growth Boundaries (UGB) – territory that is contiguous to and outside the corporate limits of a municipality where high density residential, commercial and industrial growth is expected, or where a municipality is better able to provide urban services than any other municipality.

Planned Growth Areas (PGA) – territory outside municipalities where high or moderate density commercial, industrial and residential growth is projected.

Rural Areas (RA) – territory not in an UGB or PGA that is to be preserved as agricultural lands, forests, recreational areas, wildlife management areas or for uses other than high density commercial, industrial and residential development.

Over a period of several months the Hickman County Coordinating Committee (a body comprised of members specified in Public Chapter 1101) developed the countywide Urban Growth Plan. Following necessary public hearings and other legally required processes this plan was adopted and now has the force of law.

One requirement established in Public Chapter 1101 that is particularly pertinent to the establishment and operation of zoning law within the county is the requirement established in Section 6-58-107, Tennessee Code Annotated, which reads as follows:

“After a growth plan is so approved, all land use decisions made by the legislative body and the municipality’s county’s planning commission shall be consistent with the growth plan.”

In order to meet this legal mandate it has been determined that the various zoning districts created by this Zoning Resolution must be tailored to the general purposes established within the three (3) types of growth areas, i.e., (UGB), (PGA) and (RA). Thus, the following districts are established for the three (3) areas designated on the adopted Urban Growth Plan, as noted below.

4.012 Districts Applicable Within Rural Areas (RA)

In order to implement all purposes and provisions of this resolution, the following districts are hereby established for Hickman County.

- A: A-1 Agriculture-Forestry District
- B: C-1 General Commercial District
- C: I-1 General Industrial District
I-2 Heavy Industrial District
- D: Floodplain Overlay District

4.13 Districts Applicable Within Planned Growth Areas (PGA) and Urban Growth Boundaries (UGB)

In order to implement all purposes and provisions of this resolution, the following districts are hereby established for portions of the county designated as Planned Growth Areas (PGA) and Urban Growth Boundaries (UGB) on the Growth Plan for Hickman County

- A. Residential Districts Applicable Within PGA and UGB
 - A-1 Agricultural-Forestry District
 - A-2 Suburban Residential District
 - B. Commercial District Applicable Within PGA and UGB
 - C-1 General Commercial District
-

C. Industrial Districts Applicable Within PGA and UGB

1-1 General Industrial District

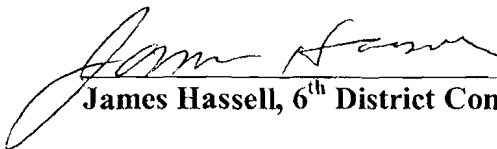
D. Floodplain Overlay District

SECTION 2: The provisions of this resolution shall become effective upon its passage, the public welfare requiring it.

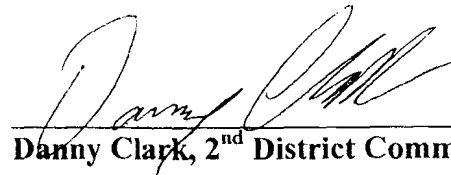
Date of Public Hearing

Caption & Summary Publication Date

SPONSORS:



James Hassell, 6th District Commissioner



Danny Clark, 2nd District Commissioner

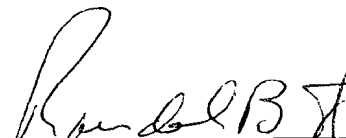
BOARD ACTION: 13 Aye 4 Nay 4 Pass _____ Absent

ADOPTED:

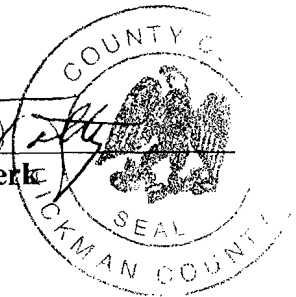


Mark McFarlin, Chairman


ATTEST:



Randel Totty, County Clerk



APPROVED



Steve Gregory, County Mayor

DISAPPROVED:

Steve Gregory, County Mayor

DATE: 6-23-09

DATE: _____