

Growth Planning

Current Tennessee Law	Proposed Changes	Other States' Laws
<p>Current law requires each county, with exception of the three metropolitan governments, and the cities in the county to have an approved growth plan. At a minimum, the plan must show urban growth boundaries for the cities. Territory outside the UGB must be designated as planned growth areas or rural areas. Within an urban growth boundary, a city possesses the exclusive right to annex territory. Any new incorporation must be formed within a county's planned growth area.</p>	<p>Public Chapter 441 directed the Commission to study the issue of annexation as part of a comprehensive review and evaluation of the efficacy of state policies set forth in Tennessee Code Annotated Title 6, Chapters 51 (Change of Municipal Boundaries) and 58 (Comprehensive Growth Plan).</p>	<p>Twenty states have mandatory comprehensive planning laws for local governments.</p> <p>Four of these states—Hawaii, Maryland, Oregon, and Washington—require growth boundaries.</p>

Other States' Laws on Comprehensive Planning and Growth Boundaries

State	Comprehensive Planning	Urban Growth Boundaries
Alabama	Permissive	
Alaska	Mandatory	
Arizona	Mandatory	Permissive
Arkansas	Permissive	
California	Mandatory	Permissive through LAFCO or home rule charters
Colorado	Mandatory under specific circumstances	Permissive but mandatory for annexation to occur
Connecticut	Mandatory	Permissive
Delaware	Mandatory	Permissive but mandatory for annexation to occur
Florida	Mandatory	Permissive
Georgia	Permissive but mandatory if they want to remain eligible for state and federal assistance programs	
Hawaii	Mandatory	Mandatory
Idaho	Mandatory	Permissive but mandatory for annexation to occur

State	Comprehensive Planning	Urban Growth Boundaries
Illinois	Permissive	
Indiana	Permissive	
Iowa	Permissive	
Kansas	Permissive	
Kentucky	Mandatory	
Louisiana	Permissive	
Maine	Permissive	Permissive but mandatory if growth plan is adopted
Maryland	Mandatory	Mandatory - annexations must be accordance with comprehensive plan
Massachusetts	Permissive but mandatory if they want to remain eligible for state grants	
Michigan	Permissive	Permissive through home rule charters
Minnesota	Permissive	Permissive
Mississippi	Permissive	
Missouri	Permissive	
Montana	Permissive	
Nebraska	Mandatory city plan for cities of the metropolitan class (Omaha)	
Nevada	Mandatory for cities of 25,000 or more and counties of 45,000 or more	
New Hampshire	Permissive	
New Jersey	Permissive	Permissive through home rule charters
New Mexico	Permissive	
New York	Permissive	
North Carolina	Permissive	
North Dakota	Permissive	
Ohio	Permissive	
Oklahoma	Permissive	
Oregon	Mandatory	Mandatory
Pennsylvania	Mandatory	

State	Comprehensive Planning	Urban Growth Boundaries
Rhode Island	Mandatory	Municipal boundaries locked in by statute
South Carolina	Permissive	
South Dakota	Mandatory for cities permissive for counties	Permissive
Tennessee*	Permissive; growth boundary map required	Mandatory
Texas	Permissive	
Utah	Mandatory	
Vermont	Permissive but mandatory for certain state grants and if they want to adopt development regulations	
Virginia	Mandatory	Permissive
Washington	Mandatory for certain counties	Mandatory
West Virginia	Permissive	Permissive
Wisconsin	Permissive	
Wyoming	Permissive	

*Tennessee's growth planning law, Tennessee Code Annotated Title 6, Chapter 58, is separate from the statute authorizing comprehensive planning, Tennessee Code Annotated Title 13, Chapters 3 and 4.

Amending Growth and Comprehensive Plans

Current Tennessee Law	Proposed Changes	Other States' Laws
<p>A city or county may propose amendments to the growth plan by filing notice with the county executive and the mayor of every city. The coordinating committee is then reestablished and uses the original process to amend the growth plan. The coordinating committee and the legislative bodies must hold public hearings on the plan. The coordinating committee must submit the proposed amendment with its recommendations to each governing body. The county and city governing bodies must either ratify or reject it. The failure to act within 120 days serves as a ratification of the recommended growth plan. If the growth plan was recommended by the coordinating committee and ratified by the county and all cities, then the Local Government Planning and Advisory Committee grants approval of the plan automatically.</p>	<p>Senate Bill 613 by Yager, House Bill 1035 by Keisling specifies that the mayor of a municipality may propose to amend only the urban growth boundary of that mayor's municipality and a county mayor or county executive may propose to amend only the boundary between a planned growth area and a rural area. It also clarifies the procedures for amending growth plans. All other proposals to change growth plans are deemed revisions, which require resolutions by either the county legislative body or the governing bodies of municipalities containing at least half the population living in municipalities.</p> <p>Senate Bill 732 by Watson, House Bill 231 by Carter places restrictions on the ability of the mayor of a municipality that has not annexed all territory within its urban growth boundaries to propose an amendment to the growth plan and to serve on the coordinating committee reconvened or reestablished to amend the growth plan.</p>	<p>Most states require comprehensive plans be reviewed or revised every two to ten years.</p> <p>Two states, California and Rhode Island, limit the number of times their comprehensive plans can be amended per year.</p> <p>Washington requires the growth areas to be reviewed annually. Utah requires a certain section of the plan on low-income housing be reviewed biennially for counties with a population over 25,000 and cities.</p> <p>Five states allow comprehensive plans to be reviewed and revised as necessary.</p>

Other States' Laws on Amending Required Comprehensive Plans

State	Amending Plan	How often
Alaska	Amendments to comprehensive plan are recommended by the city or borough planning commission and adopted by the city or borough assembly.	2 to 5 years

State	Amending Plan	How often
Arizona	County planning commission confers with affected cities and state land department and formulates a recommendation for an amendment to comprehensive plan. It holds a public hearing. It may then approve the amendment and send to the board of supervisors for final approval. Cities adopt amendments in similar way except planning commission is optional and governing body has final approval pending a public hearing.	Must review and readopt the plan once every 10 years or create a new plan
California	If there is no planning commission, the local legislative body must act instead. Before adopting or amending, the planning commission must hold a public hearing. Amendments to the city or county comprehensive plan are recommended by the city or county planning commission and adopted by the city or county governing body.	May be updated as necessary, but no more than 4 times per year
Colorado	Amendments to the city or county comprehensive plan are recommended by the city or county planning commission and adopted by the city or county governing body.	As necessary
Connecticut	Amendments to the plans of conservation and development are prepared by the city planning commission and submitted to the city governing body. If the governing body rejects, then the commission can override with a 2/3 majority vote.	10 years

State	Amending Plan	How often
Delaware	Amendments to comprehensive plan approved by city or county government shall be submitted to the Office of State Planning Coordination for review at such time as the plan is made available for public review. Should the Office object to the amendment, the city or county and the Office enter into dispute resolution. After comment and review, the governor decides to accept or reject.	At least every 5 years a city or county shall review its adopted comprehensive plan. The plan shall be revised, updated and amended as necessary, and readopted at least every 10 years.
Florida	Amendments to the comprehensive plan are recommended by the city or county planning commission and adopted by the city or county governing body.	7 years
Hawaii	Amendments submitted by state agency in charge of area and reviewed by advisory committee. Amendments then submitted to relevant state and federal agencies for comment and approved by the governor.	As necessary
Idaho	Amendments to the comprehensive plan are recommended by the city or county planning commission and adopted by the city or county governing body.	May be updated at any time
Kentucky	Amendments to the comprehensive plan are recommended by the city or county planning commission and adopted by the city or county governing body.	5 years
Maryland	Amendments to the comprehensive plan are recommended by the city or county planning commission and adopted by the city or county governing body.	Every 6 years
Nebraska	The plan shall be carried out by an appropriate city board or official.	As necessary

State	Amending Plan	How often
Nevada	Amendments to the city or county master plan must be approved by the planning commission. It may be approved by local governing bodies in counties with a population under 700,000. The local legislative body in counties with a population of 700,000 or more must approve the amendment.	Every 5 years reviewed by regional planning coalition
Virginia	Amendments to the comprehensive plan are recommended by the city or county planning commission and adopted by the city or county governing body.	5 years
Washington	City or county governing bodies must approve an amendment. Cities or counties must submit a copy of the amended plan to the department of commerce.	Varies, commonly every 8 years; must review growth areas every year