

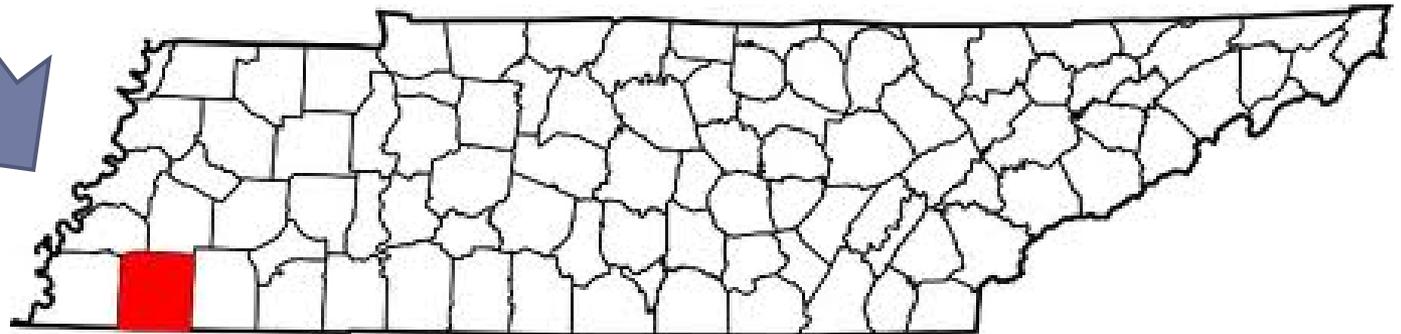
Fayette County

TACIR Comprehensive Growth Plan Roundtable

Fayette County



WEST TENNESSEE



Growth History



Pre-1990

Prior to 1990, Fayette County had zoning throughout the unincorporated areas.

1990-2000

Unincorporated western Fayette County started to have numerous subdivisions built, particularly in the Hickory Withe area, and a migration of residents from Shelby County started.

Town of Oakland started to work to attract residents with an aggressive growth policy and annexation.

2000-2008

Population Growth throughout Fayette County accelerated enormously. From 2004-2007, Fayette County had one of the highest percentage growth rates in the nation, often listed in the Top 100 Counties.

The towns of Oakland and Piperton (southwestern Fayette County) were growing at double digits rates annually.



Growth History



2008- Now

Since the start of the financial lending crisis and the end of the residential housing boom, the growth rate has dropped dramatically. While we still have new residents moving into the county, the rate of growth nor numbers of people has risen anywhere near to the mid-2000's.



Tennessee Law



Tiny Town Law

Public Chapter 98, Acts of 1997 was enacted and the Town of Hickory Withe became a possibility. Hickory Withe was incorporated primarily to stop the possible annexation into Fayette County by the City of Memphis.

During the incorporation process, the town's boundaries were set to mirror most of Fayette County's western border and became the largest town in Fayette County. The southern border was almost to Piperton. Once the law had been invalidated, Oakland successfully sued for annexing into their historic annexation priority area. The Town of Hickory Withe lasted about three years. Most of the property taxes collected were given back to the citizens.



Tennessee Law



Growth Plan

Public Chapter 1101 was a divisive process for Fayette County. From the time the law was adopted in 1998, till the time Fayette County and our towns finished arbitration, the County was split. While the formula was simple (just divide the unincorporated areas into three divisions with justification for them), politics and economics made the process messy. Due to the unknowns and with the growth that was just then starting in earnest, many wanted large areas to develop, while others saw development changing Fayette County and doing away with farmland and agriculture.

Hundreds of thousands of dollars were spent between the parties to arrive at a settlement that fully satisfied very few. For this reason, we have been very wary of opening up the process again.



Tennessee Law



Annexation

Prior to the Growth Plan law, Grand Junction (Hardeman County) annexed into Fayette County for approximately 12 people..... and a grocery store.

Both Oakland and Piperton have annexed up to a road, without annexing the road. This puts the burden of the upkeep on the County, while the Town develops the land and puts traffic onto the road.



Proposed Legislation



Agricultural land Annexation

SB1316/HB1249 proposes to stop annexing agricultural land into a city unless the land designation changes or the use is about to change. Land should be annexed only when the municipality can provide better services or when a parcel's change will have a major impact on the city.

One thing should be noted, not all counties have an exclusive agricultural designation. In Fayette County, our lowest zoning designation, R-1, incorporates all farmland as well as single family residences.



Proposed Legislation



Annexation Notices

SBI381/HBI319 proposes to have notice to the proposed annexed property owners 90 days in advance, along with three public hearings. In most instances, this should not be a hindrance since the annexation is to be forever. While I agree that owners should be amply notified prior to annexation, in the event a business that requires utilities needs annexing , a more streamlined process should be developed.



Proposed Legislation



Amending Growth Plan

SB613/HB1035 proposes to allow only one amendment at a time to be considered by the Coordinating Committee. Theoretically, this change would allow the committee to concentrate on the merits of only one change. In practice, this may make getting needed changes to growth plan harder, since competing changes may not be fully factored in when making a decision about a single request.



Proposed Legislation



Referendum Required for Annexation

SB731/HB0230 and SB869/HB590 both propose to require a referendum of the proposed annexation area prior to annexation. People who are being annexed have no voice to disapprove of the action, except through court action. There has to be a method that addresses that issue and that also is flexible enough to allow reasonable annexation.



Proposed Legislation



Fully Use Growth Area Prior to Growth Plan Changes

SB732/HB0231 proposes to require the full use of a growth area before a municipality may make a change request or participate in an amendment of the growth plan.

In Fayette County, we have some pretty large urban growth boundary (UGB) areas. This would be a way to bring these areas back to a sense of reality. But it would also mean that no city who could participate would have a UGB, since to have one would make them ineligible. This needs to be modified so that it is not so drastic.



Fayette County



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