

**TITLE 14****ZONING AND LAND USE CONTROL****CHAPTER**

1. MUNICIPAL PLANNING COMMISSION.
2. ZONING ORDINANCE.
3. FLOOD DAMAGE PREVENTION ORDINANCE.
4. HISTORIC ZONING COMMISSION.

**CHAPTER 1****MUNICIPAL PLANNING COMMISSION****SECTION**

- 14-101. Creation and membership.
- 14-102. Organization, powers, duties, etc.
- 14-103. Additional powers.

**14-101. Creation and membership.** Pursuant to the provisions of *Tennessee Code Annotated*, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of five (5) members; two (2) of these shall be the mayor and a city councilman selected by the city council; the other three (3) members shall be appointed by the mayor. All members of the planning commission shall serve as such without compensation. Except for the initial appointments, the terms of the three (3) members appointed by the mayor shall be for three (3) years each. The three (3) members first appointed shall be appointed for terms of one (1), two (2), and three (3) years. The terms of the mayor and the city councilman shall run concurrently their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor. (2000 Code, § 14-101)

**14-102. Organization, powers, duties, etc.** The planning commission shall be organized and shall carry out its powers, functions, and duties in accordance with all applicable provisions of *Tennessee Code Annotated*, title 13. (2000 Code, § 14-102)

**14-103. Additional powers.** Having been designated as a regional planning commission, the municipal planning commission shall have the additional powers granted by, and shall otherwise be governed by the provisions of the state law relating to regional planning commissions. (2000 Code, § 14-103)

**CHAPTER 2**

**ZONING ORDINANCE**

**SECTION**

14-201. Land use to be governed by zoning ordinance.

**14-201. Land use to be governed by zoning ordinance.** Land use within the City of LaFollette shall be governed by Ord. #382, titled "Zoning Code and Map of LaFollette, Tennessee," and any amendments thereto.<sup>1</sup> (2000 Code, § 14-201)

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<sup>1</sup>The Zoning Ordinance for the City of LaFollette, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder. Amendments to the zoning map are of record in the city recorder's office.

**CHAPTER 3****FLOOD DAMAGE PREVENTION ORDINANCE****SECTION**

14-301. Flood damage control to be governed by flood damage prevention ordinance.

**14-301. Flood damage control to be governed by flood damage prevention ordinance.** Regulations governing flood damage control within the City of LaFollette shall be governed by Ord. #2014-07, titled "Flood Damage Prevention Ordinance" and any amendments thereto.<sup>1</sup> (2000 Code, § 14-301, modified)

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<sup>1</sup>The Flood Damage Prevention Ordinance for the City of LaFollette, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

## CHAPTER 4

### HISTORIC ZONING COMMISSION

#### SECTION

14-401. Creation and appointment.

14-402. Procedure.

14-403. Powers and duties.

14-404. Review of decisions.

**14-401. Creation and appointment.** In accordance with *Tennessee Code Annotated*, chapter 13-7-403, a historic zoning commission is hereby established. The city council shall create a seven (7) member historic zoning commission which shall consist of a representative of a local patriotic or historical organization; an architect, if available; and a member of the planning commission, at the time of his appointment. The remaining members shall be appointed from the community in general. Historic zoning commission members shall be appointed by the Mayor of the City of LaFollette and shall be confirmed by the city council. The terms shall be for five (5) years except that the terms of at least one (1) member but not more than two (2) members shall expire each year. Initial terms shall be as follows: one (1) for five (5) years, two (2) for four (4) years, two (2) for three (3) years, and two (2) for two (2) years. All members shall serve without compensation. (2000 Code, § 14-401)

**14-402. Procedure.** The historic zoning commission shall adopt by-laws which shall establish a regular meeting time and place, establish the manner of voting, set procedures for the recordation of procedures, and may address any additional matters relating to the conduct of the historic zoning commission as the historic zoning commission may deem appropriate. (2000 Code, § 14-402)

**14-403. Powers and duties.** The LaFollette Historic Zoning Commission shall have the following powers and duties:

(1) To review all projects within any historic district that require the issuance of a permit before such projects can be lawfully commenced within the City of LaFollette, and following such review, grant, grant with conditions, or deny a certificate of appropriateness; and further to review any projects not requiring a permit, but which the building official has been authorized to review by the LaFollette Historic Zoning Commission within its "design review guidelines," and for which he has refused to issue a certificate of appropriateness, and thereafter to grant, grant with conditions, or deny a certificate of appropriateness;

(2) To adopt design review guidelines for each classification of historic district established in the city by which all projects subject to review in such historic districts are to be reviewed in order that the building official and/or

LaFollette Historic Zoning Commission may make a determination as to the granting or denial of a certificate of appropriateness; and

(3) To recommend to the planning commission the establishment of historic zones; and to review the recommendation of the planning commission, or any other group or person, for the establishment or change in boundaries of any historic zone. (2000 Code, § 14-403)

**14-404. Review of decisions.** (1) Any person who may be aggrieved by any final order of judgment of the historic zoning commission may have such order or judgment reviewed by the courts by the procedure of statutory certiorari, as provided for in *Tennessee Code Annotated*, title 27, chapter 8. (2000 Code, § 14-404)

(2) For the projects for which the building official is authorized by the LaFollette Historic Commission to grant, or grant with conditions a certificate of appropriateness, the building official shall render a decision within ten (10) working days of the date on which he received sufficient data on which to make a judgment regarding to the project's appropriateness. For projects which require review by the LaFollette Historic Zoning Commission, and those other projects which the building official refers to it for review, the LaFollette Historic Zoning Commission shall render a decision to grant, grant with conditions, or deny a certificate of appropriateness within thirty (30) days of the date of the meeting at which sufficient data is available concerning the project to make a judgment regarding its appropriateness. (2000 Code, § 14-405)