

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

1. MUNICIPAL PLANNING COMMISSION.
2. ZONING ORDINANCE.

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

14-101. Creation and membership.

14-102. Functions and duties.

14-103. Additional duties.

14-101. Creation and membership. The planning commission shall consist of nine (9) members, one of whom shall be the Mayor of the City of Smithville, and one of whom shall be an alderman of said city. The said alderman who is appointed as a member of said planning commission shall be appointed by a majority vote of the board of aldermen of said city for a period of two years from the date of appointment or until the expiration of his term of office as alderman, whichever should first occur. The successor to said alderman planning commissioner shall be selected in the same manner as the original selected alderman planning commissioner.

The remaining seven (7) members of said planning commission shall consist of residents of the City of Smithville, Tennessee, who must be at least 18 years of age at the date of appointment all of whom shall be appointed by the Mayor of the City of Smithville, Tennessee. Said original appointments shall be made by said mayor at the first regular meeting in August 1975, and are to be effective immediately. Said appointments will be entered on the official minutes of the City of Smithville, and it is not necessary that a quorum of the legislative body of the said city be present in order for the mayor to make said appointments. The said seven (7) original appointee members of said planning commission shall serve three (3), four (4), five (5), six (6), and seven (7) years respectively from and after June 7, 1977. Each succeeding member to a retiring member shall be appointed by the mayor in the same manner as the original appointees, for a period of seven (7) years. Any vacancy in the appointive membership shall be filled by the Mayor of the City of Smithville who shall have authority to remove any appointive member at his pleasure.

All members of the said planning commission shall serve as such without compensation. (Ord. #115, May 1977, modified)

14-102. Functions and duties. (1) It shall be the function and duty of the commission to make and adopt an official general plan for the physical development of the City of Smithville, including any area outside of its boundaries which, in the commission's judgement, bear relation to the planning of the municipality. The plan, with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the commission's recommendations for the said physical development and may include, among other things, the general location, character and extent of streets, bridges, viaducts, parks, parkways, waterways, waterfronts, playgrounds, airports, and other public ways, grounds, places, and spaces, the general location and extent of public utilities and terminals, whether publicly or privately owned, for water, light, power, sanitation, transportation, communication and other purposes; also the removal, relocation, widening, extension, narrowing, vacating, abandonment, change of use or extension of any of the foregoing public ways, grounds, places, spaces, buildings, properties of utilities; also the general location, character, layout and character, extent and layout of the replanning of blighted districts and slum areas. The commission may from time to time amend, extend or add to the plan or carry and part of subject matter into greater detail.

(2) The commission may adopt the plan as a whole by a single resolution, or, as the work of making the whole plan progresses, may from time to time adopt a part or parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter of the plan, the adoption of the plan or any part, amendment or addition shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the commission. The resolution shall refer expressly to the maps, descriptive matter and other matters intended by the commission to form the whole or part of the plan, and the action taken shall be recorded on the adopted plan or part thereof and descriptive matter by the identifying signature of the secretary of the commission, and a copy of the plan or part thereof shall be certified to the Board of Aldermen of the City of Smithville.

(3) In the preparation of the plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and future growth of the municipality of Smithville and its environs. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.

(4) The commission may make reports and recommendations relating to the plan and development of the municipality of Smithville to public officials and agencies, public utility companies, to civic, educational, professional and other organizations and to citizens. It may recommend to the Mayor or Board of Aldermen of the City of Smithville programs for public improvements and the

financing thereof. All public officials shall request, furnish to the commission, within a reasonable time, such available information as it may require for its work. The commission, its members and employees, in the performances of its work, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon. In general, the commission shall have powers as may be necessary to enable it to perform its purposes and promote municipal planning.

(5) Whenever the commission shall have adopted the plan of the municipality or any part thereof, then and thenceforth no street, park, or other public way, ground, place, or space, no public building or structure, or no public utility whether publicly or privately owned, shall be constructed or authorized in the municipality until and unless the location and extent thereof shall have been submitted to and approved by the planning commission; provided that in case of disapproval, the commission shall communicate its reasons to the Board of Aldermen of the municipality of Smithville and such board of aldermen by a vote of a majority of its membership, shall have the power of overruling, such board of aldermen shall have the power to proceed; provided however, that if the public way, ground, place, space, building, structure or utility be one the authorization or financing of which does not, under the law governing the same, fall within the province of such board of aldermen, then the submission to the planning commission's disapproval may be overruled by such board by a majority vote of its membership. The widening, narrowing, relocation, vacation, change in the use, acceptance, acquisition, sale or lease of any street, or public way, ground, place, or property or structure shall be subject to similar submission and approval, unless a longer period be granted by such board of aldermen or other submitting board of official. (Ord. #115, May 1977)

14-103. Additional duties. The foregoing mentioned functions and duties of said planning commission are not conclusive and said planning commission may in addition thereto do any and all of the things generally done by planning commission of a similar nature when requested to do so by the Board of Aldermen of the said City of Smithville. (Ord. #115, May 1977)

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 Smithville shall be governed by Ordinance Number 298, titled "Zoning Ordinance, Smithville, Tennessee," and any amendments thereto.¹

¹Ordinance No. 298, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.