

Tennessee Municipal Growth Policy Survey

For this survey, 224 surveys were emailed to City Managers, Administrators, Mayors, Planning Directors, Community Development Directors, and Chief Operating Officers. This survey was completed after three emails were sent and phone calls were made to the individual cities. We received a total of 80 completed surveys.

Not all respondents answered all questions on the survey.

1. Should cities have the ability to annex within their urban growth area (UGA) as provided by Public Chapter 1101?

Yes 80 | No 0

2. Has your city annexed since the enactment of Public Chapter 1101?

Yes 53 | No 27

3. If yes, how was the annexation accomplished? (select all that apply)

- a. The city's initiative by ordinance -- 37
- b. Only by referendum -- 1
- c. Only by ordinance upon request of property owners -- 33

4. Do you feel that at some time it will be necessary to annex within your UGA?

Yes 75 | No 4

5. What are your greatest obstacles to annexation? (select all that apply)

- a) Annexation laws are inadequate -- 11
- b) Opposition from property owners -- 50
- c) Opposition from the county -- 21
- d) Inability to provide the plan of services -- 29
- e) Council opposition -- 9
- f) Lack of knowledge about annexation process -- 14
- g) Other – See summary below

6. What annexation laws need to be improved? (select all that apply)

- a) Laws dealing with the taking of utilities upon annexation -- 37
- b) Laws dealing with the 15- year retention of revenues by the county -- 48
- c) Development of laws that require compliance with city subdivision regulations within the UGA -- 31
- d) City zoning laws that applies to the city's UGA -- 31
- e) Burden of proof requirement for challenging an annexation ordinance so it is based solely on reasonableness and not on material retardation -- 35
- f) Development of a law creating a statute of limitations for declaratory judgment actions that attempt to challenge an annexation ordinance -- 28
- g) Growth laws need to allow property that is within both the UGA and the Planned Growth Area be annexed upon request of the property owner by ordinance without amending the growth plan or holding a special election -- 49

h) None. City growth laws are adequate -- 5

7. Should utility standards within the UGA be in conformance with city utility standards?

Yes 73 | No 3

8. Should utility districts be permitted to install water mains within the UGA without fire hydrants?

Yes 6 | No 73

9. Additional comments – See summary below

10. Would you like to receive a copy of this survey response?

Yes 70 | No 8

Comments for Question 5, “What are your greatest obstacles to annexation?”

- Ability to provide the needed infrastructure to the new residents in a timely manner. Affording to service the area We are a satellite city of Nashville/Davidson county. Their charter prohibits annexation by satellite cities.
- Too costly to provide sewer service/gas service
- Costs for sewer
- Service delivery issues, lack of knowledge of the consequences if annexation does not occur
- We've filled up our reserve area.
- Opposition from property rights groups
- Borders of city set-no land available for growth
- Not sure that there are any obstacles
- County sued for political reasons in 1980's
- Sewer system expansion and growth could cause financial difficulties.
- Opposition from utility districts
- Have seen none; will be opposition from adjacent farm owners
- Complexity of annexation laws
- We are not experiencing any problems. The only reoccurring question is about expense of purchasing utilities from electric coop. Formula is unfair for cities.
- Providing services outside the city limits

Comments for 9. Additional Comments

- We are contemplating some minor annexation but that's totally at the request of property owners. Our board does not see any merit to annexation of "roof-tops", only commercial. We have utility Districts on every border and do not aggressively pursue annexation.
- Need to have the ability to do satellite annexation as is allowed in North Carolina.
- County government and cities must work closer together.

- Properties located within an urban growth boundary should be required by law to adhere to the utility and road standards of the municipality that is going to annex them at some time in the future.
- Sewer service by utility districts is on the horizon and could cause issues
- If hydrants are installed, who should be responsible for their maintenance?
- Lots of open area that at present time would not require fire hydrants. They can easily be added later.
- Second South Cheatham Utility District water mains are undersized in parts of Pegram and need to be upgraded now. The town will be voting on a Fire Sprinkler Ordinance and SSCUD's system may not be able to provide the proper water flow in some areas of Pegram.
- We have recently passed three annexations by ordinances and will have more knowledge after the process is complete.
- In regards to Q6-dependent upon proposed legislation. Since legislation by the General Assembly has recently been anti-city, I offer no changes. Support or non-support would be dependent upon actual draft wording.