

RESOLUTION NO. 2-26-20

Commissioner Torres moved to accept Resolution No. 2-26-20, seconded by Commissioner Hayes.

RESOLUTION OF THE WILLIAMSON COUNTY BOARD OF COMMISSIONERS REQUESTING REVIEW AND AMENDMENT OF TENNESSEE'S COMPREHENSIVE GROWTH PLAN AND ANNEXATION STATUTES TO ADDRESS COUNTY CONCERNS RELATED TO ANNEXATION AND GROWTH MANAGEMENT

WHEREAS, on September 1, 1998, the Tennessee General Assembly enacted Public Chapter 1101, codified in Tennessee Code Annotated § 6-58-101-118 et seq., commonly known as the Comprehensive Growth Plan; and

WHEREAS, the Act sought to address disputes regarding municipal annexation and create coordinated growth planning between counties and municipalities; and

WHEREAS, Public Chapter 1101 required counties and their associated municipalities to jointly adopt growth plans by December 31, 2000, through local coordinating committees, or face sanctions from the state; and

WHEREAS, the growth plans were to identify, among other things, territory that is reasonably compact yet sufficiently large to accommodate anticipated residential and nonresidential growth to occur during the next twenty (20) years, based on historical experience, economic trends, population growth patterns, and topographical characteristics; and

WHEREAS, municipalities were required to designate Urban Growth Boundaries (UGBs) within which they anticipated growth would occur, and were generally restricted to annexing property within those boundaries and contiguous to existing city limits; and

WHEREAS, in 2014 Public Chapter 707 amended Title 6, Chapter 51 which generally eliminated the authority of municipalities to annex property by ordinance and instead allowing annexation by Resolution at the request or consent of the property owner(s), provided the property lay entirely within a municipality's UGB; and

WHEREAS, in 2017 Public Chapter 399 amended Tennessee Code Annotated Section 6-51-104 allowing municipalities to annex property that is noncontiguous to existing city limits, as long as the property lay entirely within the municipality's UGB; and

WHEREAS, the original intent of Public Chapter 1101 was to reduce conflict between counties and municipalities over annexation and avoid corridor and checkerboard annexations; and

WHEREAS, over the last twenty-five (25) years, and particularly following the 2017 amendment, there has been increased conflict between counties and municipalities regarding annexation practices; and

WHEREAS, the Comprehensive Growth Plan has been used in ways that have enabled noncontiguous and piecemeal annexations that undermine coordinated growth management, fiscal sustainability, and county planning authority; and

WHEREAS, Williamson County has experienced significant residential growth, placing increased demands on county-funded infrastructure, public safety, education, and essential services; and

WHEREAS, municipalities have increasingly utilized the amended provisions of Tennessee Code Annotated Title 6, Chapters 51 and 58 to expand residential development in ways that impose substantial costs on county services, without adequate county oversight or approval; and

WHEREAS, the Board of Commissioners finds that these annexations and growth pressures create ongoing fiscal and service burdens on county residents and government; and

WHEREAS, Williamson County's legislative delegation to the Tennessee General Assembly includes:

- **Senator Jack Johnson (State Senate District 23)**, representing most of Williamson County; [Tennessee General Assembly](#)
- **Representative Gino Bulso (State House District 61)**; and
- **Representative Jake McCalmon (State House District 63)**; and
- **Representative Lee Reeves (State House District 65)**; and
- **Representative Todd Warner (State House District 92)**; and
- **Senator Joey Hensley (State Senate District 28)** (whose district includes portions of the county).

NOW, THEREFORE, BE IT RESOLVED BY THE WILLIAMSON COUNTY BOARD OF COMMISSIONERS at its regular meeting on this the 9th day of February, 2026, the Williamson County Board of Commissioners respectfully requests the Tennessee General Assembly and its Williamson County delegation to consider the following:

1. Review Tennessee Code Annotated, Section 6-58-101, et. seq (the Comprehensive Growth Plan law) to remove any ambiguities with the requirements of Tennessee Code Annotated, Section 6-51-101, et. seq (the Municipal Annexation statutes);
2. Revise Tennessee Code Annotated, Section 6-58-104 to include additional County local government representation on the Growth Plan Coordinating Committee;
3. Require municipalities to provide written, mailed notice to the property owner of each property considered for inclusion in an Urban Growth Boundary, with sufficient notice for the property owner to participate in the public hearings required by Tennessee Code Annotated, Section 6-58-106;
4. Prohibit the inclusion of a property in an Urban Growth Boundary without the consent of the property owner and require the removal of property from the Urban Growth Boundary if requested by the property owner;
5. Amend Tennessee Code Annotated, Section 6-51-104(d) to repeal the authority of municipalities to annex territory that does not adjoin the boundary of the main part of the municipality and prohibit annexation of property not adjoining the existing municipal boundaries, within or outside of the Urban Growth Boundary;
6. Revise Tennessee Code Annotated, Section 6-51-102 to:
(1) require municipalities to include more detailed information in the Plan of Services for the services listed in the current Section 6-51-102, (2) include a detailed and specific timeframe in which these services will be provided, and (3) include data on the impact on

the school system(s) and on the adjacent roadways that will not be annexed and remain in the county. These impact studies should include an estimated impact to those services resulting from the proposed annexation based upon the annexed territory developing in accordance with any applicable land use plan or other planning documents approved by the municipality;

7. Require that a proposed Plan of Service be reviewed by and commented upon by the county legislative body prior to adoption by the municipality; and where the impact studies determine that county infrastructure will be impacted, the county legislative body must approve the Plan of Service prior to approval of the annexation resolution by the municipality;

8. If an annexation resolution proposes to annex territory that is adjacent to a county roadway, then the municipality must be required to annex the county road and maintain the roadway;

9. Any other amendments which will assist the County legislative body to fully understand the fiscal impact of a proposed annexation to the County residents and property owners, both within and outside of the municipal boundary of the annexing municipality; and

10. That this Resolution be forwarded to the Governor of the State of Tennessee, the Speaker of the Tennessee House of Representatives, the Speaker of the Tennessee Senate and Williamson County delegation described herein.

/s/ Lisa Hayes
County Commissioner

/s/ Bill Petty
County Commissioner

COMMITTEES REFERRED TO AND ACTION TAKEN:

Tax Study Committee	For: <u>5</u>	Against: <u>0</u>
Property Committee	For: <u>3</u>	Against: <u>1</u>

Commissioner Hayes stated her support for the Resolution.

Commissioner Lawrence moved to amend the Resolution by replacing the fourth paragraph of the **NOW THEREFORE, BE IT RESOLVED BY THE WILLIAMSON COUNTY BOARD OF COMMISSIONERS** section with the following wording:

Upon request of the property owner, allow for the removal of property located adjacent to the border of the UGB, if the property has been located in a UGB for fifteen years or longer and has not been proposed for annexation.

Commissioner Stressed seconded the motion to amend.

The amendment failed by recorded vote, 6 'Yes' and 17 'No' as follows:

<u>YES</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>
Sean Aiello	Brian Beathard	Ricky Jones	Steve Smith
Betsy Hester	Guy Carden	Jennifer Mason	Barb Sturgeon
Gregg Lawrence	Brian Clifford	Chas Morton	Drew Torres
David O'Neil	Meghan Guffee	Bill Petty	Tom Tunnicliffe
Pete Stresser	Lisa Hayes	Chris Richards	Matt Williams
Paul Webb	Judy Herbert	Mary Smith	

Commissioner Clifford moved to table the Resolution. Seconded by Commissioner Guffee.

The motion to table failed by recorded vote, 9 ‘Yes’ and 14 ‘No’ as follows:

<u>YES</u>	<u>YES</u>	<u>NO</u>	<u>NO</u>
Guy Carden	Paul Webb	Sean Aiello	Bill Petty
Brian Clifford	Matt Williams	Brian Beathard	Chris Richards
Meghan Guffee		Lisa Hayes	Mary Smith
Jennifer Mason		Judy Herbert	Steve Smith
Chas Morton		Betsy Hester	Pete Stresser
David O’Neil		Ricky Jones	Barb Sturgeon
Tom Tunncliffe		Gregg Lawrence	Drew Torres

Commissioner Steve Smith called for the question. Seconded by Commissioner Tunncliffe.

The motion passed by voice vote, 22 ‘Yes’ and 1 ‘No’. Commissioner Richards voted ‘No’.

Resolution No. 2-26-20 passed by recorded vote, 16 ‘Yes’ and 7 ‘No’ as follows:

<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>NO</u>
Sean Aiello	Chas Morton	Drew Torres	Guy Carden
Brian Beathard	Bill Petty	Matt Williams	Brian Clifford
Lisa Hayes	Chris Richards		Meghan Guffee
Judy Herbert	Mary Smith		Jennifer Mason
Betsy Hester	Steve Smith		David O’Neil
Ricky Jones	Pete Stresser		Tom Tunncliffe
Gregg Lawrence	Barb Sturgeon		Paul Webb

Chairman Beathard declared a recess at 8:45 p.m.

Chairman Beathard called the meeting back to order at 9:00 p.m.
