

ORDINANCE NO. 02102-15

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, AMENDING GALLATIN MUNICIPAL CODE, CHAPTER 2, ARTICLE III, DIVISION 3, PLANNING COMMISSION, SECTION 2-151, CREATION AND MEMBERSHIP AND SECTION 2-153, ADDITIONAL POWERS

WHEREAS, on April 2, 1974, the Tennessee State Planning Commission, in accordance with Tenn. Code Ann. § 13-202 (now § 13-3-102), granted a request made by the City of Gallatin and designated the Gallatin Municipal Planning Commission as the Gallatin Municipal - Regional Planning Commission for its future planning and for the purposes of controlling the zoning and subdivision of certain territory outside said City; and

WHEREAS, the Tennessee Department of Economic and Community Development now serves the role of the State Planning Commission, per Tenn. Code Ann., § 13-3-101(a); and

WHEREAS, in accordance with Tenn. Code Ann. § 13-3-102, the acceptance of a designation of a municipal planning commission as a regional planning commission is not obligatory, but is subject to the consent of the designated municipal planning commission; and

WHEREAS, Sumner County created and established a county planning commission, a county zoning resolution, county subdivision regulations, and a professional engineering and planning staff and, therefore, demonstrated the means of conserving or controlling the physical development of the territory located outside of the corporate limits of the City of Gallatin; and

WHEREAS, the Gallatin Regional-Municipal Planning Commission recommended deactivating its role and authority as a regional planning commission and dissolution of the Gallatin Planning Region with the intention of the City to establish a Municipal Planning Commission per Tennessee Code Annotated, § 13-4-101 et. seq.; and

WHEREAS, deactivating the regional planning authority is deemed desirable for the operation of planning and zoning administration of the City of Gallatin and the immediate surrounding area, and

WHEREAS, the Gallatin Zoning Ordinance, the Gallatin Subdivision Regulations and other regulations adopted and approved by the Gallatin Municipal - Regional Planning Commission shall remain applicable and the policy for development within the municipal boundaries until such time that these are amended to reflect the jurisdiction of the Gallatin Municipal Planning Commission, and

WHEREAS, in accordance with Tenn. Code Ann. § 13-3-102 and § 13-4-101, the City Council of the City of Gallatin requests the Commissioner of the Tennessee Department of Economic and Community Development, with the approval of the Local Government Planning Advisory Committee, to approve a resolution to deactivate the regional planning authority of the Gallatin Municipal - Regional Planning Commission and to dissolve the Gallatin Planning Region, and

WHEREAS, the Tennessee Department of Economic and Community Development Local Government Planning Advisory Committee intends to consider a resolution to deactivate the regional planning authority of the Gallatin Municipal - Regional Planning Commission and to dissolve the Gallatin Planning Region.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, pursuant to Tenn. Code Ann. § 13-4-101 et. seq. and based on approval of a resolution by the Local Government Planning Advisory Committee of the Tennessee Department of Economic and Community Development to deactivate the Gallatin Municipal – Regional Planning Commission and to dissolve the Gallatin Planning Region, the following sections of the Gallatin Municipal Code are hereby amended as follows:

Section 1. Chapter 2, Administration, Article III, Boards, Committees, Commissions, Division 3, Planning Commission.

(a) *Sec 2-151. Creation and Membership* is amended as follows:

Pursuant to the provision of T.C.A. §13-4-101 et. seq. there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of seven (7) members. Two (2) of these members shall be the mayor and a councilmember selected by the city council. The other five (5) members shall be appointed by the mayor shall be for five (5) years each. The terms of the mayor and the councilmember selected by the council shall run concurrently with their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor or council as described herein.

(b) *Sec 2-153. – Additional Powers* is amended by the following:

The municipal planning commission shall have the powers granted by state law relating to municipal planning commissions.

Section 2. Application of the Zoning Ordinance and other advisory roles

Upon adoption of this ordinance the duties and responsibilities assigned to the Gallatin Municipal- Regional Planning Commission described in the Gallatin Zoning Ordinance, Gallatin Subdivision Regulations and other advisory roles is hereby assigned to the Gallatin Municipal Planning Commission.

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this ordinance shall take effect immediately upon adoption of a resolution by the Tennessee Department of Economic and Community Development Local Government Planning Advisory Committee to deactivate the regional planning authority of the Gallatin Municipal - Regional Planning Commission and to dissolve the Gallatin Planning Region, the public welfare requiring such.

PASSED FIRST READING: March 2, 2021

PASSED SECOND READING: March 16, 2021.

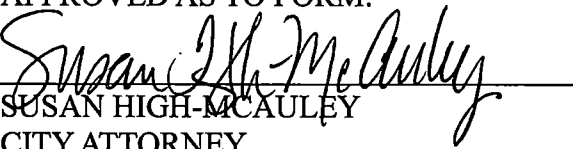

MAYOR PAIGE BROWN

ATTEST:



CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:



SUSAN HIGH-MCAULEY
CITY ATTORNEY