



Photos courtesy Joe Horne

Where town and country meet

Williamson County Comprehensive Development Plan

RURAL CONSERVATION FOCUS

by Joe Horne

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In 1970, Williamson County was something of a typical middle Tennessee county. Rural in nature and temperament, the county's population numbered about 34,330. Its municipalities included Franklin, Fairview, newly incorporated Brentwood, and the sleepy community of Spring Hill, straddling the Maury County line with a population of 685. However, according to one chronicler, "By the late 1960s it was evident that Williamson County and Franklin were in the path of mammoth sprawl emanating from Nashville."

Since the county's population is expected to be 418,990 by 2030, maintaining the rural landscape is going to be increasingly difficult.

While the term *sprawl* means many things to many people, the adjective *mammoth* appears to be entirely accurate in this instance. The population of Williamson County between 1970 and 2010 rose at the astounding rate of 430.7%, or 147,853 people,

to a population of 182,183. According to Woods Poole Economics, this population is projected to increase to 258,480 by 2020, or an increase of 41.9%.

Clearly, this type of growth is not without consequences. Some of these consequences, such as increased traffic congestion, can be described as largely self-evident. However, other consequences are somewhat more subtle. One of these is the loss of the rural landscape, which statis-

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tically can be articulated in several ways. According to the 1969 Census of Agriculture, about 273,692 acres (73.4% of the land area) of Williamson County were classified as agricultural. Using the most recent Census of Agriculture (2007), this figure has declined to a total of 161,851 acres, a decline of 41% of agricultural lands in the county. By way of normalizing these numbers, during this same time agricultural lands in Tennessee declined by only 27%.

These trends are little different from that observed by national commentators. The American Farmland Trust (AFT) has noted that “every minute of every day, we are losing more than an acre of agricultural land to development.” Citing the 2007 National Resources Inventory (NRI), the AFT noted that nationally about 4,080,033 acres of farmland were converted to “developed uses” between 2002 and 2007.

Statistics of this type are not always enlightening. It is certainly beyond the scope of this article to critique the market forces that contribute to this loss of rural landscape, or whether this loss of rural areas is a precursor to future food production shortages. After all, prior to and since 1970 this country as a whole has become less rural and more suburban (and urban) in nature. With any amount of change, something is invariably given up. In responding to the market forces and demographics contributing to these outcomes, it is perhaps the role of planning to offer choices rather than dictate solutions.

Williamson County Comprehensive Land Use Plan 2007

In his seminal work *Performance Zoning*, planner Lane Kendig coined the phrase “borrowed open space.” In this context, it refers to areas such as farms, natural areas, and historic sites that contribute to the rural landscape that are valued aesthetically but clearly owned by a third party. Short of actual ownership, which would be cost prohibitive and also politically prohibitive, it is extremely difficult to maintain this rural landscape in a county undergoing the growth pressures outlined earlier.

The Williamson County Comprehensive Plan (2007) did not occur in a vacuum; it was the result of considerable community outreach and comment. As a result of this process, it was concluded that:

Rural areas are highly valued by the citizens of Williamson County for their historic and environmental resources with an agrarian character that serve as a strong complement to the growing urban and suburban communities in Williamson County. The Comprehensive Plan goals and objectives are clear in calling for the Rural Areas to be preserved as low density with a rural character and rural levels of public services.

The tension facing Williamson County is a classic balancing act between the desire to maintain the rural landscape and offering incentives to the property owners to maintain this rural character. Both the

2007 Comprehensive Plan and the 1988 Comprehensive Plan it updated developed a series of policies to protect the rural landscape. Some policies were regulatory in nature, but most sought to create a subtle set of incentives and disincentives geared to maintain the rural landscape.

Rural Preservation Efforts in Williamson County

In addition to those by Williamson County, other rural preservation efforts underway include the Greenbelt Law and efforts by the Land Trust for Tennessee.

The Agricultural, Forest, and Open Space Land Act of 1976

This is commonly known as Tennessee’s Greenbelt Law. Specifically, it was intended to:

- encourage continued production of valuable food and fiber;
- prevent loss of family farms due to higher taxes based on speculative rather than use values; and
- provide relief from urban sprawl and provide green spaces for enjoyment of people who would not normally have access to such areas.

The law allows for preferential property tax treatment for farms, forested areas, and open space. Upon sale, these properties are subject to roll-back taxes for the prior three years.

Despite a recent series of negative news articles questioning its equity (see “Cash Crop: Tax Breaks Sprout for Tennessee Farmers,” *Commercial Appeal*, October 14, 2012), it seems intuitive that this law pro-



Land Trust for Tennessee protected property, Leiper's Fork

vides incentive for properties to remain rural in character. According to the office of the Williamson County Property Assessor, Williamson County has 4,153 parcels classified as greenbelt, comprising some 165,969.94 acres in 2012.

The Land Trust for Tennessee

This organization is dedicated to protecting “Tennessee’s natural and historic landscapes and sites through donations of conservation easements that protect important land resources.” A conservation easement is a “voluntary contract between a landowner and a land trust, government agency, or other qualified organization in which the owner places

permanent restrictions on the future uses on some or all of his property.” This type of dedication not only protects the property from future development but offers potential tax advantages to the grantor.

Within the state of Tennessee, the Land Trust has preserved more than 84,000 acres in permanent open space. Of that figure, Williamson County boasts 42 properties totaling 5,621 acres under conservation easement protection; this is the most in the state of Tennessee.

Efforts of Williamson County Government

With its adoption of the 2007 Com-

prehensive Plan, Williamson County reaffirmed its commitment to preserve the rural landscape while meeting the land needs for the anticipated growth over the life of the plan. The plan projects a range of acreage needs for growth over this 20-year period, ranging from 24,500 to 46,000 acres. Strategies were developed for not only the “preservation of the rural landscape” but the continuation of agricultural and equestrian uses as well as preservation of environmentally sensitive areas. Specifically, these strategies and techniques are incorporated in the newly adopted Williamson County

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Alpaca farm, west Williamson County

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Zoning Ordinance (2013). Not all of these strategies and techniques are new; many were parts of prior zoning ordinances and were further refined by Williamson County’s subsequent experiences and those of other communities.

Large Lot Zoning

Since 1988, a sizable portion of unincorporated Williamson County has been zoned to allow one dwelling unit per five acres. Predominantly these properties are located in the sparsely populated parts of the county and are characterized by large tracts of lands, including farms, homesteads associated with farms, large-lot single-family properties,

and wooded and forested areas. These areas are also typified by what can best be described as a “rural level of infrastructure.” Generally, sanitary sewer is not available, water service (if available) lacks sufficient fire flow, and the roads are sub-standard in width, composition, or alignment. Currently, 158,626 acres are subject to this density requirement in unincorporated Williamson County.

Voluntary Agricultural District

The 2013 Zoning Ordinance provides for the development of a voluntary agricultural district. Under this provision, a landowner restricts the use of his property to uses classified as agricultural. In addition to traditional agricultural uses, uses

such as farm wineries, rural retreats, and bed and breakfasts are allowed in this district. It is anticipated that this district will be used in concert with properties under conservation easements.

Agri-Tourism and Related Uses

Agri-tourism is defined as “any structure, land, or combination thereof used for tourism or educational purposes as it relates to an active agricultural use.” Such uses might include demonstrations of crop and livestock production in an effort for visitors to experience farm life. The intent of these policies is beyond that of education; they are intended to provide the family farmers the opportunity to produce income from their property beyond

that of strictly agriculture. A notable example of this is a pumpkin patch established on a family-owned farm that is a popular destination during the weeks leading up to Halloween.

A closely related variation of this concept is the farm winery. Arrington Vineyards is one such example. At its location, Arrington Vineyards grows the grapes, bottles the resulting wine, and serves samples to its customers. Moreover, there is a retail component plus the opportunity for events on site. At this writing, Arrington Vineyards is the only such facility in Williamson County; however, a number of requests have been received to expand this category to include the distilling of spirits.

The 2013 Zoning Ordinance also has categories devoted to rural retreats and conference centers. The former might include event venues for weddings, reunions, and family gatherings. Conference centers would include space for corporate retreats and meeting rooms. Primarily, these uses are subject to strict performance standards and restricted to large parcels in an effort to minimize impact on neighbors and the rural landscape as a whole.

Residential Business

This category was established in the 1988 Zoning Ordinance and carried forward in the 2013 Ordinance. It allows small, owner-operated businesses on parcels in excess of five acres, subject to strict performance standards. This use is more intensive than a home occupation (e.g., home office), with a maximum number of employees not to exceed

three. Approval of this use is subject to a public hearing. Historically, this category has been found to be a good relief valve, again widening the number of uses available to property owners in the rural areas of Williamson County.

Conservation Subdivisions

Per the 2012 Zoning Ordinance, a conservation subdivision is “the division of land into two or more lots, building sites, or other divisions along with additional area set aside for open space for conservation, recreational or other rural purposes.” While this approach is not exactly new in Williamson County (the first dates back to 1972), the regulations for these uses have been refined and restated. This approach yields additional open space, opportunities to protect agricultural and environmentally sensitive lands while allowing the developer the same number of lots (albeit smaller lots) at theoretically lower costs due to shorter runs for roads and utilities. The resulting open space can be held privately (owners’ association), publicly (governmental entity), or by a third party such as a land trust. Since 2003, about 2,265 acres have been placed in permanent open space, largely under the control of various owners’ associations. This approach borrows readily from ideas espoused by Randall Arendt in his book *Rural by Design*.

Techniques Under Consideration

The 1988 Zoning Ordinance contained a provision for transferable development rights (TDRs). This involves the transfer of density from a sending area (an area one wishes

to preserve) to a receiving area (an area one wishes to have additional development, such as a freeway interchange). While this was available from 1988 to the present, no applicants exploited this, likely due to the lack of sewer connections in the unincorporated county and the fact that residents in the receiving areas tend to be less than enthusiastic about the additional density.

During the development of the comprehensive plan, significant discussion occurred regarding the purchase of development rights (PDRs). This practice simply means the rights to develop the property are purchased by a governmental or not-for-profit entity, and the land becomes permanent open space. Since the time of adoption of the comprehensive plan in 2007, much of the discussion in this area has been silenced due to the lack of a funding source and the bottoming out of the real estate market in 2008. Whether this notion will be renewed is simply speculative at this time.

Conclusion

We recognize this place is going to grow. We just have to figure out how we can preserve the ambience.

—Mayor Vince Parmesano, Sheperdsville, West Virginia, as quoted by Tom Daniels in *When City and Country Collide*

The policies discussed herein share one value, that of choice. While

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View from Pull Tight Hill, near the Bethesda community

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the large-lot zoning is restrictive in nature, the wide number of use options available on these properties at least partly offsets these restrictions. Given that the residential population of Williamson County is expected to be 418,990 by 2030 (Woods and Poole Economics, 2012), maintaining the rural landscape is going to be increasingly difficult. At best, the listed techniques can only influence the timing and extent of development. This seems to be a pessimistic assessment; however, the efforts to date indicate that pressure on the rural landscape can be mitigated and to some extent balanced against the property rights of those currently owning the land. ■

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