



August 24, 2024

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# Planning, Zoning and Development

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Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Planning, Zoning and Development

Reference Number: CTAS-467

Boards and committees involved with planning, zoning and development include all of the following. Click on these links for an explanation of the committees included in Land Use, Planning and Zoning under the County Operations topic.

Board of Zoning Appeals

Joint Economic and Community Development Board

Regional Planning Commission

## Airport Zoning Board of Appeals

Reference Number: CTAS-514

Counties with airport zoning must have a board of airport zoning appeals, or the county legislative body must designate the board of zoning appeals created under Title 13, Chapter 7, of the Tennessee Code or by private or other local act to hear appeals from airport zoning resolutions or ordinances. If an airport zoning board of appeals is created by resolution of the county legislative body, then the county legislative body specifies whether the board will have three or five members and the mode of appointment of members and their terms, but the terms must be arranged so that the term of one member expires each year. The county legislative body also determines the compensation, procedure and extent of jurisdiction consistent with state law. Appeals to this board may be made by any person aggrieved under airport zoning resolutions or ordinances, such as by alleged errors made by the building commissioner in denying a building permit. Also, the board may authorize a variance in an airport zoning resolution or ordinance in cases of exceptional hardship when this can be done without substantially impairing the intent and purpose of the zoning plan and may condition the a permit for a variance. T.C.A. § 42-6-108 *et seq.*

## Historic Zoning Commission

Reference Number: CTAS-515

A historic zoning commission must be created by the county legislative body if it establishes historic zones or districts and regulates the construction, repair, alteration, rehabilitation, relocation and demolition of any building or other structure that is located or proposed to be located within such a historic zone. A county historic zoning commission consists of at least five and not more than nine members appointed by the county mayor subject to confirmation by the county legislative body and must include a representative of a local patriotic or historical organization, an architect, if available, and a person who is a member of the local planning commission. The terms of the members is five years, except for the initial members who are appointed for lesser terms to create staggered terms. Members serve without compensation. Also, a regional historic zoning commission may be created by the county and city legislative bodies in the area served by a regional planning commission. T.C.A. § 13-7-403. The historic zoning commission makes recommendations to the county and/or city legislative bodies regarding the creation of historic districts or zones and provides a set of review guidelines for the proposed district or zone. T.C.A. §§ 13-7-405, 13-7-406. The county legislative body may grant to the county historic zoning commission the authority to review applications for construction, repair, alteration, rehabilitation, relocation and demolition of any building or other structure in a historic zone and issue (or refuse) a certificate of appropriateness. T.C.A. § 13-7-407.

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