



Purpose

Many residents assume the county can intervene when a development raises community concerns. But Giles County’s long-standing rejection of zoning means the county has no planning department, no inspectors, and no legal authority over how property is used once it meets the minimum technical requirements. This is a deliberate community choice—one that maximizes property freedom while limiting government’s ability to resolve development concerns.

The purpose of this paper is to advise county leaders on a highly debated community concern – rural encroachment and land planning. As it falls to elected officials to lead this discussion, it’s imperative that leaders fully grasp the complexities and tradeoffs.

Background

Giles County has a long-standing tradition of respecting individual property rights. At the same time, residents are increasingly expressing frustration with the county’s inability to preserve farmland, safeguard rural character, or plan for future development. This creates a tension between individual property freedom and broader county concerns about land use.

Frequently, proposals for new developments prompt calls for local government to “do something!” Many residents, meanwhile, are cautious about expanding government authority or implementing new regulations. The key question is how to balance individual property rights with community expectations. There are no easy answers.

For the purposes of this discussion, “land-use planning” refers to the set of tools and regulations often called zoning. These tools guide where and how development occurs, including residential, agricultural, commercial, and industrial uses. These longstanding tensions set the stage for a renewed discussion about whether the county should adopt land-use planning, maintain the current approach, or pursue limited alternatives.

To Plan or Not to Plan – A Community Question

Historically, most residents favor minimal regulation—right up until an incompatible land use is rumored to be constructed next door. This tension between personal freedom and community protection lies at the heart of Giles County’s land-use debate.

The decision to adopt land-use planning or other regulatory approaches is ultimately a choice for the people of Giles County. It’s been hotly debated in years past. Given community changes and rapid Tennessee growth over the last quarter-century, it’s probably time to be hotly debated again. Local government can provide information, outline options, and explain potential



consequences. While there's no answer to satisfy every political constituency, public debate is essential to ensure successful public policy.

Land-use planning can guide where certain types of development occur, but it requires resources, staffing, and enforcement. In other words, government staffing and authority would increase. Without sufficient enforcement capability, regulations would not be fully effective.

Choosing not to implement land-use planning maximizes property freedom and limits government expansion—Giles County's longstanding stance. However, that stance comes with tradeoffs. Landowners in rural, unincorporated areas of the county have wide latitude in developing their property, which can create conflicts or unexpected impacts on neighbors and the community.

The purpose of this discussion is to provide residents with the information needed to understand these tradeoffs, recognize what is—and is not—possible under current Subdivision Standards, and decide which approach best reflects community priorities while addressing the anticipated challenges of the next 25-years.

What Land-Use Planning Can and Cannot Do

Without zoning or a land-use plan, the county cannot restrict the type of business or facility that may be built on a particular property. The absence of these tools means the county cannot prevent incompatible uses, even when residents strongly oppose them.

- **Potential Benefits:** Land-use planning can separate incompatible land uses, guide growth, and support infrastructure planning. E.g. Residential and farmland can be “zoned,” distinct from areas designated for industrial and commercial uses.
- **Limitations:** Zoning requires staffing, inspection, fees, and enforcement. Planning cannot override state authority, nor can it solve issues such as insufficient well water, soil conditions, or independent utility decisions. Additionally, the county does not inspect or maintain private roads, and other regulatory powers remain beyond the scope of county authority.

Even with planning, some developments would require coordination with independent entities and/or state agencies.

Subdivision Standards – What They Do and Don't Do

The Standards function as a technical checklist: surveys, floodplain determinations, driveway and road specifications, and approvals from the utility and state agencies responsible for wells and septic systems. If these minimum requirements are met, the Regional Planning Commission must



approve the plat. The Standards do not—and cannot—govern what is built on each lot or what activities occur after the sale.

Key limitations include:

- **No planning staff or inspectors:** The county does not have personnel to actively review or enforce compliance.
- **Minimal enforcement:** Compliance is largely self-reported; there is no routine field monitoring. Enforcement is primarily driven by the need for Planning Commission review of subdivisions prior to plats being recorded by the Register of Deeds.
- **Limited scope:** Standards address infrastructure layout but cannot prevent incompatible land uses, commercial development near homes, or high-density construction on private roads. Subdivision Standards do not regulate whether property has adequate well water or septic (perc) capability, nor can the county guarantee these conditions. Neither County nor Planning Commission can serve as a consumer protection agency — property buyers must conduct their own due diligence before purchase.
- **Resource implications:** Expanding enforcement or coverage would require hiring staff, creating permitting systems, and funding administration (primarily through fees.)

Example: A developer could meet all subdivision rules but still locate a business or facility next to homes in a way that creates traffic, noise, or visual impacts. Currently, the county has no mechanism to prevent this.

Core Question

Giles County citizens must weigh two primary approaches:

1. **Implement land-use planning:** This may include zoning, overlay districts, or other regulatory tools. It requires staffing, enforcement, and funding, representing an expansion of government.
2. **Maintain a no-planning approach:** This preserves maximum property rights and limits government growth but comes with extremely limited ability to prevent incompatible or high-impact developments.

There are valid arguments for both approaches. The key is for the community to understand the tradeoffs and make an informed decision.



Scenarios to Illustrate Tradeoffs

The following scenarios illustrate how the status quo can produce outcomes that residents may find surprising or disruptive—despite full compliance with Subdivision Standards.

- **Daycare or school proximity:** If a small warehouse storing chemicals were located directly across from a daycare, parents and staff might worry about accidental spills or increased truck traffic at drop-off times.
- **Industrial operations near homes:** A commercial composting facility opening alongside a residential area could generate persistent odors or send large trucks down narrow rural roads.
- **Noisy or environmentally sensitive businesses:** A metal fabrication shop or paint-spraying operation located adjacent to an organic farm could produce constant noise, dust, or fumes.
- **High-density development on narrow roads:** A cluster of townhomes built on a private lane with only one entrance on a rural county road could create traffic bottlenecks for emergency vehicles or make daily access difficult for residents.
- **Recreational/event facilities near homes:** An outdoor motocross track or shooting range sited next to a residential area could generate noise during early morning or evening hours and attract heavy weekend traffic.

Subdivision Standards cannot address any of the above scenarios.

Key Questions for the Community

Any change in direction must come from the voters. County officials do not have the discretion to halt developments simply because they are unpopular. The question is not, ‘Why won’t the County stop this?’ but, ‘Does the public want to grant the County the tools to address these issues in the future?’

The Way Ahead

It falls to the County Commission, the Regional Planning Commission, and 2026 candidates to encourage a countywide discussion on land use planning to ensure residents thoroughly understand the tradeoffs:

- The status quo is a legitimate choice, provided citizens understand tradeoffs and consequences.
- Addressing land-use conflicts requires some form of regulation and enforcement capacity.
- A thorough discussion should include:
 - Cost implications of adding planning staff and enforcement resources.

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- Legal limitations under state law (e.g., agriculture exemptions, independent utilities, septic systems regulated by TDEC).
- Alternatives to formal planning, such as voluntary design guidelines, private development agreements, farmland trusts, or voluntary deed restrictions.

Ultimately, this is a policy decision that requires informed public dialogue. The role of County Commissioner and Planning Commissioner is to present facts, outline options, and facilitate debate—including accurate, clear-eyed explanations of the tradeoffs. Because this issue affects the future of our county, it is important that all candidates for County Executive and County Commission take clear positions on land-use planning during their campaigns. This ensures voters understand where their potential representatives stand and can make informed choices about who will guide the county's growth and preservation priorities.

v/r,

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County Executive