

SECTION

2

Previous Planning Efforts

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Rutherford County Community Strategic Plan

"In 1994, the Rutherford County Planning Department, in conjunction with a Rutherford County Chamber of Commerce initiative called Rutherford 2020, held a series of visioning workshops across the county. In September 1995, the Planning Department called for citizens to volunteer to work on this strategic plan. Over 200 citizen volunteers met weekly in eleven different workgroups for several months to identify strengths, weaknesses, opportunities and threats and formulate community goals and objectives. Strategies were then devised to take us from where we are now to where we need to go to achieve our collective vision."⁹

The following recommendations and strategies identified in the Strategic Plan are relevant to the development of greenways and preservation of open space:

- **Utilize the dedication of land for parks and recreation purposes by developers**
The local governments of the Rutherford County community should adopt amendments to their respective zoning ordinance or resolution to require the mandatory dedication of parkland in conjunction with new development.¹⁰
- **Establish a Parks & Recreation Foundation and Land Trust Organization**
The Rutherford County community should establish a non-profit foundation for the purpose of soliciting voluntary contributions of money, land, conservation, historical and environmental easements, volunteer time and others for the benefit of parks, recreation and open space in the community and to serve as a land trust organization to hold title to conservation, historical and environmental easements.¹¹
- **Encourage conservation easements**
A conservation easement is a legally binding agreement between a property owner and a governmental body or a land trust that restricts the type and amount of development and use that may take place on the property. Conservation easements can be an effective complement to government acquisition programs and the regulation of uses to protect environmentally sensitive land.

Ownership of land includes a "bundle" of rights—including the right to subdivide, to sell, to farm, to cut timber, and to build. A landowner may voluntarily agree to give up one or more [of] those rights in order to protect a resource or conservation value. For example, he might agree to prohibit any structures, roads, or clearcutting on a parcel [in] order to protect wildlife habitat. Or he might restrict land disturbance and chemical application within a river or lakeshore buffer zone, or restrict dredging in a wetland. Or he might allow access to his land for recreation purposes. In addition, he may reserve a number of basic rights—to sell, lease assign and use the property; to restrict public access;

⁹Rutherford County Regional Planning Commission. "Rutherford County Community Strategic Plan". (Rutherford County, Tennessee, 1996-1998). 1-3

¹⁰Ibid. 3-10

¹¹Ibid. 3-13

to maintain the land for agricultural use subject to specified best management practices; or to construct additional dwellings on specified sites, for example.

The agreement restricting and reserving certain uses is binding on future purchasers of the property and is recorded as a Deed of Conservation Easement. It is the responsibility of the easement holder (usually the land trust organization) to routinely monitor the property, usually once a year, to ensure that the agreement is not violated and to pursue legal recourse to compel compliance if necessary. The land trust creates and maintains a stewardship fund to cover the costs for perpetual maintenance of the easement. To ensure that they put their limited resources to the best use, most land trusts develop written criteria to guide them in determining whether to pursue or accept an easement.

By entering into a conservation easement, a landowner ensures that his land will be protected for future generations while remaining in private hands.

There may be financial benefits as well. If the landowner gives the easement to a qualified charitable organization in perpetuity for conservation purposes recognized by the IRS, he may deduct the value of the easement from his personal federal income taxes.

The Internal Revenue Code, Section 170(h)(4)(A), defines conservation purposes as the preservation of land areas for:

- Outdoor recreation by, or the education of, the general public;
- The protection of a relatively natural habitat of fish, wildlife, or plants, or similar ecosystems;
- The preservation of open space (including farmland and forest land) yielding significant public benefit for the scenic enjoyment of the general public, or pursuant to a clearly delineated federal, state or local governmental conservation policy or
- The preservation of historically important land areas or buildings.

The value of the easement is the difference between the fair market value of the land without the restriction and the fair market value after the restriction. A qualified appraiser must determine this if the gift's value exceeds \$5,000. The landowner can deduct up to 30% of his adjusted gross income over a period of six years until the value of the easement is exhausted, if the property is a long-term capital gain asset.

High estate taxes, which have forced the sale of many treasured family lands, may be similarly decreased through the use of conservation easements satisfying the Internal Revenue Code. If a property owner restricts the use of his property through a conservation easement prior to his death, the estate tax is assessed on the restricted value of the property. When the landowner bequeaths a conservation easement to a land trust in his will, the value of the easement is deducted from the estate.

Property taxes may be decreased as well, since restricting various development rights may diminish the fair market value of the land. The public benefits from resource protection afforded by the easements should substantially outweigh the costs in terms of decreased revenue to the local government. Easements restricting land-disturbing activities and chemical handling on a riverbank, for example, may result in decreased costs of drinking water treatment and increased revenues generated by recreational users. Easements protecting agricultural uses on a tract of land help assure the viability of agricultural-dependent businesses in the community. Easements protecting open space and scenic views may result in increased property values on adjacent land.¹²

- ***Inventory undeveloped parcels along the Stones River and Percy Priest Lake and evaluate for possible uses***

An inventory should be conducted of all undeveloped parcels of land adjoining the Stones River (including East, middle and West Forks) and Percy Priest Lake in Rutherford County. Each parcel identified should be evaluated for potential use as a park, recreation site, or preservation as open space.¹³

- ***Create land use policies that are automobile-alternative friendly***

Land use patterns, more than any other factor, affect transportation patterns, which in turn affect land use patterns. Our current land use pattern is affected by the fact that almost every family has at least two automobiles and drives everywhere: to work, to shop, to play, etc. The fact that we all own so many cars and drive everywhere (mostly in single-occupancy vehicles) is affected by the land use patterns we have adopted—great distances between where we live, shop, work, and play.

In the establishment of a long-range land use policy plan, each policy should be evaluated for its effect on transportation patterns. Land use policies should, whenever possible, encourage alternatives to automobiles, especially to single-occupancy vehicles.¹⁴

- ***Rutherford County should provide a comprehensive network of trails, bikeways and sidewalks that connect to the municipalities' trails, bikeways and sidewalks as an integral element of the overall transportation network***

The cities of Murfreesboro, Smyrna and La Vergne are already busy building greenways as this plan is being prepared. Murfreesboro has recently completed the three-mile Stones River Greenway from Old Fort Park to Stones River National Battlefield, and construction is to start soon on the Lytle Creek Trail, which will connect the Stones River Greenway with downtown Murfreesboro.

Murfreesboro also recently completed a Bicycle Plan, which calls for bicycle lanes to be included in new roadways and roadway widening projects. Bicycle lanes were included in the recent Thompson Lane and Cason Lane improvement projects.

¹²Ibid. 3-13 - 3-14

¹³Ibid. 3-15

¹⁴Ibid. 3-20

Smyrna has a very nice trail in their Smyrna Recreation Park. The Master Plan (1995-2005) for the Town of Smyrna's Parks and Recreation Department calls for a citywide urban trail system. Phase I consists of urban trails between the Soccer Park and the Smyrna Recreation Park and between the Recreation and Volunteer Parks. Phase II consists of construction of an urban trail between the Volunteer Park and the Community Park. Phase III envisions construction of an urban trail from Community park to a Corps of Engineers nature trail to the West Fork Area. The trails are to consist of unpaved walking trails, side walks, and bike paths. The estimated cost of all three phases is \$575,550.

La Vergne's Park and Recreation Master Plan also calls for a series of urban trails.

Federal funding is available under the Intermodal Surface Transportation Efficiency Act (ISTEA) for the planning and construction of trails and bikeways when they are a component of an intermodal transportation system. Murfreesboro's Stones River Greenway and Lytle Creek Trail projects were funded with ISTEA monies.

Rutherford County should develop a network of trails and bikeways which connect with those of Murfreesboro and Smyrna. For example, a trail running alongside the Stones River from the Nice's Mill area to the Artillery Monument at Stones River National Battlefield would connect Murfreesboro and Smyrna trails. Another possibility would be a trail running along the East Fork of the Stones River which would connect the Smyrna trails network with Browns Mill and the Guy James Farm in the eastern part of the county.

The Rutherford County Planning Department should apply to the Nashville Area Metropolitan Planning Organization (MPO) for Unified Planning Work Program (UPWP) funds in the 1998-99 fiscal year to contract with a private consulting firm to prepare a trails and bicycle plan that meets the criteria of this strategy. The plan, which should be citizen-based, should identify, prioritize, estimate the costs, and identify potential funding sources for potential projects and policies. Upon completion of the plan, it should be adopted by the Rutherford County Regional Planning Commission and Board of Commissioners. Upon adoption, the Rutherford County Planning Department should apply to the MPO for funding.¹⁵

Parks and Recreation Department Master Plan (1995-2005), Town of Smyrna, Tennessee

Faced with unprecedented growth and a desire to provide excellent recreation services to the community, the Town of Smyrna commissioned a recreation planning study in 1994. The purpose of this study was to " . . . review and ana-

¹⁵ Ibid 11-9

lyze existing parks and recreation programs and facilities and their ability to meet future needs; provide direction for the Department in evaluating what recreation future programs and facilities are needed; decide where and how these needs can be met by new or existing facilities and programs; [and] develop a Master Plan for facility improvements, program variations and personnel additions over time in the context of a feasible network of implementation strategies."¹⁶

When members of the community were asked through surveys and interviews to identify needed programs and facilities, the responses frequently related to non-athletic activities such as walking trails. "The most requested facilities not currently offered were an indoor pool, multi-use courts, and more walking/scenic trails."¹⁷

The Parks and Recreation Department Master Plan also identified, per park service zone, opportunities related to greenways:

Zone 1 Zone Boundaries:
 North: Percy Priest Lake
 South: Enon Springs East
 East: Stones River
 West: Airport

Urban trail corridors are in place and ready for development.¹⁸

Zone 2 Zone Boundaries:
 North: Ridley Parkway
 South: South Lowery
 East: Nissan Drive
 West: South Lowery

A natural corridor for a new trail between soccer and recreation parks exists.¹⁹

Zone 3 Zone Boundaries:
 North: City Limits
 South: Enon Springs West
 East: South Lowery
 West: Old Nashville Highway

Existing creeks serve as potential trail corridors.²⁰

¹⁶Barge, Waggoner, Summer and Cannon, Inc. "Parks and Recreation Department Master Plan (1995-2005)", Town of Smyrna, Tennessee. (Nashville, July, 1995) 1-2

¹⁷Ibid., 2-17

¹⁸Ibid., 3-20

¹⁹Ibid., 3-20

²⁰Ibid., 3-21

Zone 7 Zone Boundaries:
 North: Enon Springs West
 South: Nissan Drive
 East: South Lowry
 West: Old Nashville Highway
 Creek provides natural corridor for urban trail system.²¹

Zone 8 Zone Boundaries:
 North: Enon Springs East
 South: I-24
 East: Stones River
 West: Nissan Drive
 Potential partnership with the Board of Education at Stewartsboro to develop nature trail and learning center.²²

In addition to suggesting partnerships with the Board of Education, the Smyrna Parks and Recreation Department Master Plan developers suggested that a partnership be established with the US Army Corps of Engineers (USACOE) at J. Percy Priest Lake. "The beauty and serenity of USACOE properties should be taken advantage of by unobtrusive trail systems and greenway networks. The Parks and Recreation Master Plan outlines various locations throughout the City in which trails are proposed, and a proposed trail system (through USACOE properties) which connects Stewarts Creek to West Fork and beyond could be built upon this new network. Furthermore, this greenway network could be extended to tie into the Murfreesboro greenway and the existing trails at Long Hunter State Park."²³

The developers of the Parks and Recreation Department Master Plan based their recommendations on criteria established by the National Recreation and Parks Association and on community planning guidelines developed by the Tennessee Department of Economic and Community Development's Local Planning Office. However, these standards do not quantify the amount or length of greenways that Middle Tennessee communities should consider an acceptable standard. Therefore, the planners developed "adjusted" standards for park and recreational facilities that could be realistically provided by the City. According to the report, one mile of walking/trail system per 2,500 citizens should be provided.²⁴ Based on that formula, Smyrna's need for greenways in 1995 was 8 miles—1.5 miles were actually available.

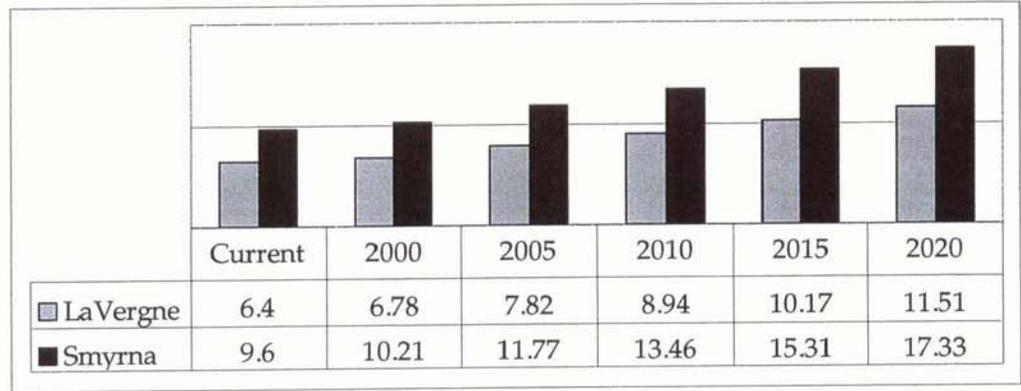
²¹Ibid., 3-21

²²Ibid., 3-22

²³Ibid., appendix F

²⁴Ibid., 3-5

Assuming that the Smyrna adjusted standard for walking/trail systems is equally applicable to the adjacent community of La Vergne, greenway needs for the present day and the early 21st Century are shown here in miles:



Source: The University of Tennessee, Center for Business and Economic Research, March, 1999