



# State of Tennessee

## PUBLIC CHAPTER NO. 1000

SENATE BILL NO. 1879

By Briggs, Massey

Substituted for: House Bill No. 1920

By Staples, Smith, Kane, Zachary, Harry Brooks, Dunn, Daniel, Moon

AN ACT to amend Tennessee Code Annotated, Title 13, relative to planning commission regulations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 13-3-403, is amended by deleting subsection (c) and substituting instead the following:

(c)(1) Before adoption of its subdivision regulations or any amendment thereof, a public hearing thereon shall be held by the regional planning commission, thirty (30) days' notice of the time and place of which shall be given by one (1) publication in a newspaper of general circulation in each county lying wholly or partly in the region.

(2)(A) The adoption of subdivision regulations or an amendment to existing subdivision regulations proposed by a regional planning commission shall not be given effect unless approved:

(i) By the county legislative body of each county lying wholly or partly within the region and by the governing body of each municipality lying wholly or partly within the region;

(ii) By only the legislative body of the county that is regulated by those subdivision regulations, if the subdivision regulations apply only to land outside of any municipality within the region; or

(iii) By only the governing body of the municipality that is regulated by those subdivision regulations, if the subdivision regulations apply only to land within municipal boundaries.

(B) This subdivision (c)(2) applies to a regional planning commission if the legislative body of each county and municipality lying wholly or partly within the region adopts a resolution or ordinance requiring approval of the regional planning commission's subdivision regulations or amendments to existing subdivision regulations.

SECTION 2. Tennessee Code Annotated, Section 13-3-402(a)(1), is amended by inserting the language "or the staff of the regional planning commission if this responsibility has been delegated to the staff by the regional planning commission as provided in subsection (c)" after the language "until it has been approved by such regional planning commission".

SECTION 3. Tennessee Code Annotated, Section 13-3-402(a)(2), is amended by inserting the language "or the staff of the regional planning commission if this responsibility has been delegated to the staff by the regional planning commission as provided in subsection (c)" after the language "No plat shall be submitted to or approved by the regional planning commission".

SECTION 4. Tennessee Code Annotated, Section 13-3-402, is amended by adding the following as new subsections:

(c) A regional planning commission may delegate the responsibility for approval of a subdivision plat to the staff of the regional planning commission by a majority vote of the regional planning commission that is taken in a public meeting after being placed on the regional planning commission's meeting agenda and notice being provided as required for other matters before the regional planning commission.

(d) A regional planning commission may grant variances to subdivision regulations, if such variances are adopted at a public meeting of the commission.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 1879

PASSED: April 25, 2018

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 21<sup>st</sup> day of May 2018

  
BILL HASLAM, GOVERNOR