

SENATE BILL 1926

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 5;  
Title 6; Title 7 and Title 13, relative to zoning.

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

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 7, is amended by adding the following as a new part:

**13-7-701.** As used in this part, unless the context otherwise requires:

(1) "Governmental entity" means a governing body, board, commission, committee, or department of a municipality, county, or other political subdivision of this state;

(2) "Household" means an apartment, a house, a mobile home, or another structure or part of a structure intended for residential occupancy as separate living quarters; and

(3) "Person" means an individual, assignee, association, company, corporation, developer, estate, firm, governmental subdivision, joint venture, joint stock company, limited liability company, partnership, receiver, trust, or combination of individuals of whatever form or character, organized or existing under the laws of this state or another state; a governmental agency or local governmental entity of this state; and a department, agency, or instrumentality of the executive, legislative, or judicial branch of the federal government.

**13-7-702.**

(a) Notwithstanding this chapter to the contrary, a governmental entity authorized to regulate zoning under this chapter must not approve a petition by a

person for a zoning reclassification of residential property to commercial use unless seventy percent (70%) or more of the households located within a half-mile radius of the property that is the subject of the petition approve the proposed zoning reclassification.

(b)

(1)

(A) At least sixty (60) days prior to a scheduled meeting by a governmental entity to discuss or act upon a petition filed under subsection (a), the governmental entity shall provide notice of the petition for a zoning reclassification to each household in the affected area with a single postage prepaid, pre-addressed return form on which one (1) person per household may vote to approve or disapprove the petition. The form must be received by the governmental entity at least thirty (30) days prior to the meeting.

(B) Only one (1) vote may be cast for each household regardless of the number of persons who reside in the household.

(C) This section applies to all petitions for zoning reclassifications filed on or after July 1, 2022.

(2)

(A) Notwithstanding subdivision (b)(1), a petition for a zoning reclassification of residential property to commercial use must not be approved if sixty percent (60%) of the residents living within a half-mile radius of the property that is the subject of the petition submit a petition disapproving the proposed zoning reclassification.

(B) The governmental entity shall develop and implement a uniform process to confirm the accuracy of each petition submitted under subdivision (b)(2)(A) or (B).

(3) Every governmental entity authorized to regulate zoning under this chapter shall develop and maintain a system for persons who reside within the entity to register complaints about zoning matters. The system may include, but not be limited to, the submission of complaints:

(A) At public meetings;

(B) To the entity in writing; or

(C) Through an online system developed by the governmental entity, if available.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.