

MEETING NOTICE

The Jonesborough Board of Zoning Appeals and the Jonesborough Planning Commission will meet in Regular Session at 6:00 p.m., Tuesday, October 21, 2025, in the Board Room at the Town Hall, 123 Boone Street, Jonesborough, TN.

PUBLIC COMMENTS REGARDING AGENDA ITEMS

Members of the public wishing to speak concerning any item on the agenda during the Public Comment period must sign up by calling the Town Administrative Office at 423-753-1030 with their name, address, and subject about which they wish to speak no later than 2 hours before the meeting if the meeting occurs during normal business hours or by 4:45 p.m. the day of the meeting if the meeting occurs after hours. Otherwise, such member of the public must sign in at the location of the meeting, prior to the beginning of the meeting, by seeing the Town Recorder at meetings of the Board of Mayor and Aldermen, or the secretary or staff of any board, commission or committee constituting any other governing body under this resolution.

Each individual shall be given three (3) minutes to address the Board regarding Agenda items. Comments shall be limited to items on the meeting's Agenda

Opening Prayer

Pledge to the Flag

BOARD OF ZONING APPEALS

Agenda

Call to Order

1. Public Comments
2. Approval of Minutes
3. Request for a Variance to the left side property setback for 2020 Ida Sue Drive, Adam & Christina Ogle, Property Owners (Item was tabled from 9/16/2025)
4. Adjournment

JONESBOROUGH PLANNING COMMISSION

Agenda

Call to Order

1. Public Comments
2. Approval of Minutes
3. Request for approval of a new location for the monument sign for Starbucks located at 1504 East Jackson Boulevard
4. Request for final plat approval of the Replat of the Johns and Cobham Properties located on Thistledown Circle
5. Request for initiating the approval process regarding Public Chapter 994 relative to Subdivision Regulations
6. Adjournment

JONESBOROUGH BOARD OF ZONING APPEALS

AGENDA PRESENTATION

DATE: October 21, 2025 **AGENDA ITEM #:** BZA-2

SUBJECT: Approval of Minutes – September 16, 2025

September 16, 2025 Minutes attached for review.

JONESBOROUGH BOARD OF ZONING APPEALS

MINUTES – September 16, 2025

The Jonesborough Board of Zoning of Appeals (BZA) met in a regular meeting on Tuesday, September 16, 2025, at 6:00 p.m., in the Board Room at Town Hall, 123 Boone Street, Jonesborough, Tennessee.

Members Present: Tom Foster – Chairman, Frank Collins, Josh Conger, Terry Countermine, Darrell Fowler, Bill Graham, Robin Harpe, Richie Hayward, Jim Rhein

Members Absent:

Staff Present: Angie Charles, Washington County Planner, JW Greene, Donna Freeman

Chairman Tom Foster called the meeting to order and noted a quorum was present. Josh Conger led the group in Prayer and Chairman Foster led in the pledge to the Flag.

1. Chairman Foster asked if there were any public comments. Linda Oliver, 133 Holmes Road, addressed the BZA, stating that she was against the rezoning for 143 Holmes Road. Ms. Oliver said she feels it is too close to her house, concerned about the grading work, and too much noise from parking two vehicles. Chairman Foster thanked Linda Oliver for her comments.

2. Approval of Minutes – Meeting of August 19, 2025

Chairman Foster asked if there were any corrections to the minutes of the August 19, 2025 BZA meeting. With there being none, called for a motion.

Motion: The motion to approve the minutes of the August 19, 2025 meeting as presented was made by Bill Graham, seconded by Josh Conger and duly passed.

**3. Request for a variance to the left side property setback for 143 Holmes Road
Presented by: Keith Johnson, Property Owner**

The request is for a 5-ft. side yard variance to Section 11-530, from the required 15-ft. setback, which would allow for a 10-ft side yard setback for the property. The property is not level and the topography drops in elevation to the right of structure and will require a significant amount of fill and grading work to locate the addition on the right side. Keith Johnson said he wants to convert a single-car carport into an attached two-car garage. Mr. Johnson said a tree will have to be taken down for the expansion of the carport.

Chairman Foster read the staff recommendation for the approval of a variance to Section 11-530, to allow for a 10-ft. Side yard setback. Chairman Foster asked BZA members if they had any questions or comments, and with there being none called for a motion.

Motion: Bill Graham made the motion to approve the 10-ft side yard variance for 143 Holmes Road, as presented. Jim Rhein seconded the motion and it was duly passed.

3. Request for a variance to the left side property setback for 202 Ida Sue Drive, Presented by: Adam Ogle, Property Owner

The variance request is for a 5-ft side yard setback variance to Section 11-512A.(3)(n) of the Zoning Ordinance (p. 11-71), which requires individual lot setbacks to be established on the development's site plan. The variance would allow for a 2.5-ft side yard setback for the property. The property owner claims that drainage issues prevent construction of a carport in the rear of the property; however, Town staff has photographed an existing accessory structure (yard barn) in the rear yard with no visible water damage. The concern is that unpermitted construction of the lean-to carport has already occurred and been attached to the principal structure without inspections, and, at this time, staff does not determine that a special circumstance exists on this property. Staff's assessment is that Section 11-528(4)(c) of the Zoning Ordinance standards for variances (p. 11-102) are not met for granting a variance to the side yard setback requirement.

Adam Ogle addressed the BZA stating that the structure has already been constructed for to add additional parking for the third vehicle and that is the reason for the variance. Mr. Ogle said a stop work order had been issued by the Building Inspector.

Chairman Foster asked BZA members if they had questions or comments. Bill Graham commended Adam Ogle on his workmanship. Bill Graham said his concern is about safety and emergency vehicles (fire, police, EMS) being able to access the back of the property between Mr. Ogle's property and the neighboring property. Robin Harpe asked Mr. Ogle if he had talked to his neighbor about the addition of the structure. Mr. Ogle said he had and the neighbor had no issue with it. Discussion took place about the backyard fence and if it could be reconfigured to allow more space for emergency vehicles. Chairman Foster read the staff recommendation to deny the variance to Section 11-512A (3)9N) to allow for a 2.5-ft. side yard setback. Chairman Foster called for a motion.

Motion: Terry Countermine made the motion to table the variance until the next BZA meeting and for Adam Ogle to get with the Building Inspector to look at the backyard fence to determine how far it can be cut back. Bill Graham seconded the motion and it was duly passed.

With there being no further business for discussion, Chairman Tom Foster adjourned the meeting.

JONESBOROUGH BOARD OF ZONING APPEALS

AGENDA PRESENTATION

DATE: October 21, 2025 AGENDA ITEM #: BZA-3

SUBJECT: 2020 Ida Sue Dr – 5 ft. side yard setback variance request

Deferred from September 16th meeting.

BACKGROUND:

The petitioner requests a 5-ft side yard setback variance to Section 11-512A.(3)(n) of the Zoning Ordinance (p. 11-71), which requires individual lot setbacks to be established on the development's site plan. The variance would allow for a 2.5-ft side yard setback for the property.

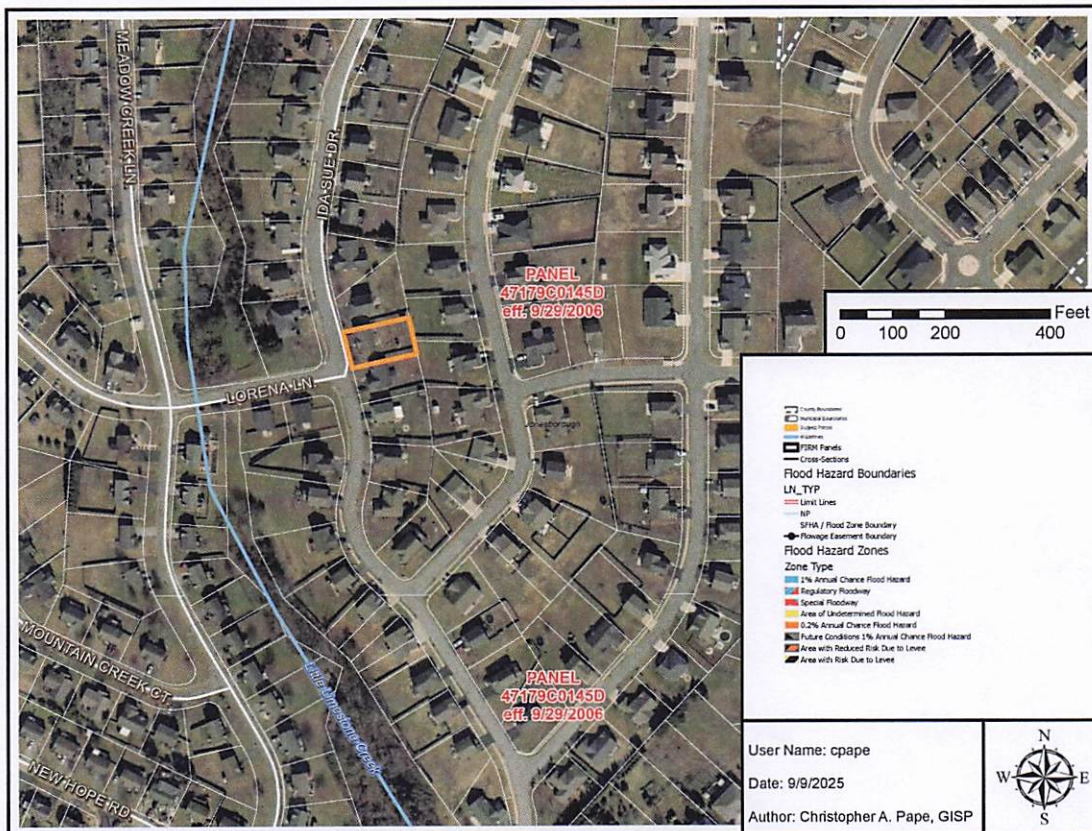
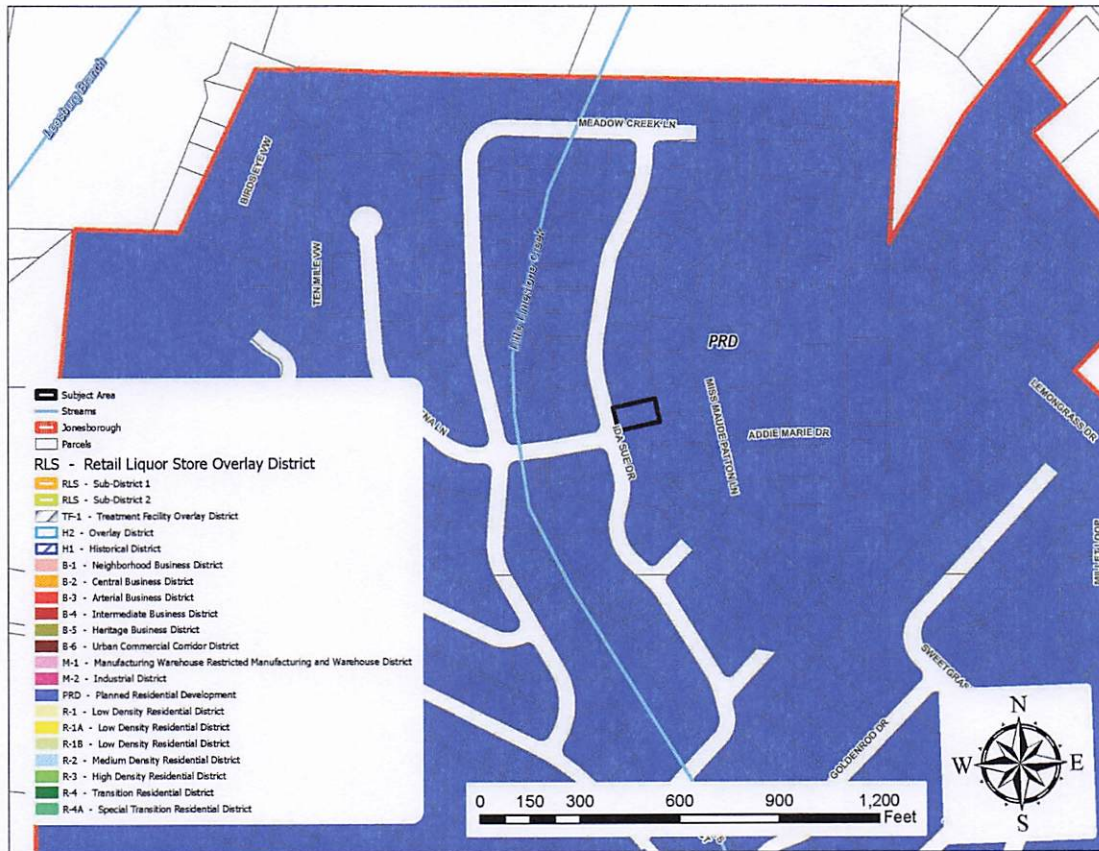
The property owner claims that drainage issues prevent construction of a carport in the rear of the property; however, Town staff has photographed an existing accessory structure (yard barn) in the rear yard with no visible water damage.

Of concern is that unpermitted construction of the lean-to carport has already occurred and been attached to the principal structure without inspections, and, at this time, staff does not determine that a special circumstance exists on this property

Staff's assessment is that Section 11-528(4)(c) of the Zoning Ordinance standards for variances (p. 11-102) are not met for granting a variance to the side yard setback requirement.

RECOMMENDATION:

Staff recommends denial of a variance to Section 11-512A.(3)(n). to allow for a 2.5-ft side yard setback.



JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: October 21, 2025 **AGENDA ITEM #:** 2

SUBJECT: Approval of September 16, 2025 Meeting Minutes

September 16, 2025 Minutes attached for review.

JONESBOROUGH PLANNING COMMISSION

MINUTES – September 16, 2025

The Jonesborough Planning Commission met in a regular meeting on Tuesday, September 16, 2025, at 6:00 p.m., in the Board Room at Town Hall, 123 Boone Street, Jonesborough, Tennessee.

Members Present: Tom Foster – Chairman, Frank Collins, Josh Conger, Terry Counterline, Darrell Fowler, Bill Graham, Robin Harpe, Richie Hayward, Jim Rhein

Members Absent:

Staff Present: Angie Charles, Washington County Planner, JW Greene, Donna Freeman

Chairman Tom Foster called the meeting to order and noted a quorum was present.

1. Chairman Foster asked if there were any public comments. Tracy Pannell, 1060 Old State Route 34, Jonesborough, TN, addressed the Planning Commission about the rezoning request of 110 Polo Lane from A-1 to R-1. Mr. Pannell expressed concern was about the intent of the rezoning, the number of houses are going to be built, and how it will impact the surrounding area. Chairman Foster thanked Tracy Pannell for his comments.

2. **Approval of Minutes – Meeting of August 19, 2025**

Chairman Foster asked if there were any corrections to the minutes of the August 19, 2025 Planning Commission meeting. With there being none, called for a motion.

Motion: The motion to approve the minutes of the August 19, 2025 Planning Commission meeting as presented was made by Richie Hayward, seconded by Darrell Fowler, and was duly passed.

3. **Rezone property located at 110 Polo Lane (Washington County) from A-1 (General Agricultural District) to R-1 (Low Density Residential)**

Presented by: Matthew Tittle, 850 Hales Chapel Road, Johnson City, TN

The request is to rezone property located at 110 Polo Lane, Washington County Tax Map 067, Parcel 237.00, Lot Size 0.9992, from A-1 (General Agricultural District) to R-1 (Low Density Residential). Matt Tittle said their plans are to build a house on the lot to either live in it or sell it. Chairman Foster asked Angie Charles, Washington County Planner, about the rezoning. Ms. Charles said the rezoning will go back to the County Commission for approval, and the 2-plot plat can be approved administratively.

Chairman Foster read the staff recommendation is approval of rezoning 110 Polo Lane, from A-1 to R-1. Chairman Foster asked Commissioners if they had questions or comments. With there being none, called for a motion.

Motion: Josh Conger made the motion to recommend approval of the rezoning request for 110 Polo Lane, from A-1 (General Agricultural District) to R-1 (Low Density Residential), as presented. Robin Harpe seconded the motion and it was duly passed..

4. Rezone properties located at 304, 326, and 250 Hairetown Road (Washington County) from R-1 (Low Density Residential) to A-1(General Agricultural District)

The request is from multiple property owners asking to rezone the following properties located along 304, 326, and 350 Hairetown Road, Washington County Tax Map 51, Parcels 216, 216.01, 217, 217.01, 217.02, and 218. Cody Harrison, 304 Hairetown Road, wants to construct an additional residence on their lot, which is not permissible in the existing R-1 district but is allowable in the A-1 zoning district due to the lot's size/acreage. The other property owners are interested in preserving the agricultural use of their land, and the A-1 district is an appropriate designation. The zoning in the immediate area is both A-1 and R-1, with land uses being agricultural and residential. The proposed land uses are either residential or agricultural, the request is not out of character with the area.

Chairman Foster read the staff recommendation for the approval of rezoning of the Hairetown Rd properties (Tax Map 51, Parcels 216, 216.01, 217, 217.01, 217.02 & 218 – 304, 326 & 350 Hairetown Rd), from R-1 to A-1, as submitted. Chairman Foster asked Commissioners if they had questions or comments. With there being none, called for a motion.

Motion: Josh Conger made the motion to recommend approval of rezoning of the Hairetown Rd properties (Tax Map 51, Parcels 216, 216.01, 217, 217.01, 217.02 & 218 – 304, 326 & 350 Hairetown Rd), from R-1 to A-1, as presented. Jim Rhein seconded the motion and it was duly passed.

5 Final Plat approval for State of Franklin Subdivision – Phase 1 Sand Valley Road

The Planning Commission is asked to consider granting final plat approval to State of Franklin Subdivision – Phase 1, containing six (6) lots and 12.37-acres. The property is located outside of the Town's limits but within the planning boundary, giving subdivision authority to this Commission. The proposed lots have frontage on Sand Valley Rd, a local residential street. The zoning is A-1 (Washington County, General Agricultural District), and the lots meet/exceed the minimum requirements for the zoning district. Brown Branch, impacts two (2) of the lots, Lot 1 and Lot 5, requiring a 30-ft buffer from the top of the streambank. A note has also been added to the plat referencing TDEC permitting for a stream crossing. There are no variances to the Subdivision Regulations associated with the plat.

Chairman Foster read the staff recommendation for the approval of the plat as submitted, subject to obtaining all the required signatures. Chairman Foster asked Commissioners if they had questions or comments. With there being none, called for a motion.

Motion: Bill Graham made the motion to approve the final plat for State of Franklin Subdivision – Phase 1, located along Sand Valley Road, seconded by Robin Harpe and duly passed.

6. Local Parks & Recreation Fund (LPRF) Grant and Recreation Trail Project (RTP) Grant

Rachel Conger, Community Development Partners Project Manager, presented details of the LPRF Grant and RTP grant to the Planning Commission, as follows:

Jonesborough LPRF (Local Parks & Recreation Fund) Grant Project:

The Town of Jonesborough has secured funding for an 8' wide ADA recreation pedestrian walkway connection from Jonesborough to Johnson City corporate limits and additional 8' wide walkways to create pedestrian connections to parks and other recreation areas in Jonesborough. Additionally, the project proposal includes the development of an ADA compliant restroom facility and associated parking lot, with ADA parking, as part of a trail head as well as a bike track and associated parking lot for youth. The Town submitted an application in partnership with Washington County as a portion of the pedestrian walkways will be located outside the corporate limits of Jonesborough, still in Washington County.

Aligning with the Town's Parks and Recreation Master Plan, Jonesborough has been working to develop recreation walkways and other pathways to connect residents to recreation services, including parks, as well as the Town's historic downtown and the new K - 8 Jonesborough School. The importance of connecting residents to recreation activities that are offered throughout the Town has shown to strengthen the sense of community and the quality of life of the residents.

The Tweetsie Trail, located in nearby Johnson City, reaches to Elizabethton and an extension of the current trail to Hampton. The trail is a regional attraction to recreation enthusiasts, including bikers, runners and others. The trail offers a scenic environment with plaques along the trail that tell the history of the region and the ties to the railroad. The trail draws users from all over east Tennessee, including residents in Jonesborough. The desire is to create a connection from Jonesborough to the Tweetsie Trail.

Johnson City has a population of over 73,000 residents and is home to Mountain Home Veterans Administration, Johnson City Medical Center and East Tennessee State University, all major employers of residents in the area. By providing an alternative way for Jonesborough and Washington County residents to get to Johnson City to work, it would help alleviate the number of vehicles that travel Hwy 11E and Old E Main St/Jonesborough Hwy/W Market Street.

Jonesborough has and maintains 13 parks within its corporate limits, including Tiger Park, the newest park that is scheduled to open in October 2025 and is also funded through an LPRF grant. The parks are surrounded by residences but many lack the pedestrian connections to residential areas and the parks to one another. The desire is to see all of the Town's parks fully utilized by its residents, including those who live in close proximity to them. The development of pedestrian walkways would provide these connections.

The proposed trail head for the walkway is located at the track and football field at the former Jonesborough Middle School. The trail head will include an ADA restroom facility as well as an asphalt parking lot with ADA parking. The property has been deeded to the Town by Washington County Schools. This location for the trail head is centrally located on the east side of Jonesborough, just off of E Main Street, along a densely populated area, approximately a half mile from the Jonesborough Senior Center and Lincoln Park. The proposed bike track is also to be located on the property owned by Washington County Schools.

Tennessee Governor Bill Lee has given Jonesborough \$2.5 million for the development of pedestrian access in Jonesborough. Following the construction of pedestrian sidewalks along another portion of E Main Street to create a connector to the Jonesborough Senior Center and Lincoln Park, \$2 million remain from that funding that the Town will use as match for the project, essentially doubling the impact of these funds.

RTP (Recreation Trail Project) Grant Project

The Town of Jonesborough currently has in place the Lost State Scenic Walkway, a 3.5-mile paved recreation trail that connects the Town's largest park, Persimmon Ridge Park, surrounding developments and numerous residential areas, to downtown. The trail also travels through two passive parks, Barkley Creek Park and WC Rowe Park, and ends at Mill Spring Park, in the heart of downtown. Downtown is Jonesborough's sense of place and belongs to all residents, and the Town is working to develop a walkway system that connects to as many of the residential areas as possible while encouraging citizens to exercise and to enjoy and socialize in Jonesborough's historic downtown. Downtown is a social space in Jonesborough that helps to bring members of the community together. Continuing to develop recreation trails enables more of the community to be able to get to the downtown area without having to get in a car, providing a way for residents to walk together to access shopping, dining and recreation downtown.

The Town is working to continue connecting parks and residential areas via the walkway. The goal of the project is to construct an 8' wide, 3,000 linear foot paved trail from Mill Spring Park to Stage Road Park, traveling along Little Limestone Creek and undeveloped natural areas.

Adjacent to Stage Road Park is the residential development, Mountain View Estates which holds nearly 150 residential single-family homes. This neighborhood, despite its close proximity to downtown, has no pedestrian connection. Also close by is Heritage Place Subdivision which is even further isolated and disconnected from downtown. The focus of the extension of the Lost State Scenic Walkway would be to

connect Stage Road Park, Mountain View Estates, and surrounding residences to downtown Jonesborough, recreation opportunities and parks beyond.

The project consists of the construction of 3,000 linear feet of paved trail including two pedestrian bridges in one section of the project to provide access over Little Limestone Creek. The trail will cross over 6 privately owned properties and 3 Town-owned properties. The Town is in the process of securing the needed easements.

Chairman Foster thanked Rachel Conger for the presentation. Chairman Foster read the staff recommendation for the approval of the LPRF Grant project and RTP Grant project as presented. Chairman Foster asked Commissioners if they had questions or comments. With there being none, called for a motion.

Motion: Jim Rhein made the motion, seconded by Terry Countermine, to approve the LPRF Grant project and RTP Grant project, as presented. The motion was duly passed.

8. Election of Officers

The Election of Officers for a Chairman, Vice Chairman, and Secretary was the next item for discussion. Chairman Foster asked Robin Harpe if she would be interested in serving as Secretary, and Ms. Harpe said she would.

Motion: Josh Conger made the motion the retain Tom Foster as Chairman, Jim Rhein as Vice Chairman, and nominated Robin Harpe as Secretary. Terry Countermine seconded the motion and it was duly passed.

With there being no further business for discussion, Chairman Tom Foster adjourned the meeting.

Minutes Approved:

Tom Foster, Chairman

Date

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: October 21, 2025 **AGENDA ITEM #:** 3

SUBJECT: Starbucks – Site Plan Revision for Monument Sign

BACKGROUND:

Starbucks, located on a 2.33-ac site located at 1504 E. Jackson Blvd, is requesting a revision to the previously approved site plan. The revision depicts changes to the proposed freestanding signage.

The ground-mounted monument-style sign will be 70-sqft in size and 14-ft in height, which does not exceed the maximum requirements of the sign regulations (11-1214.(3)(f)). The sign will be 7.5-ft from the property lines; therefore, it is not anticipated to cause issues with sight distance.

RECOMMENDATION:

Staff recommends approval of the site plan revision as requested.



TOWN OF JONESBOROUGH

123 BOONE STREET
JONESBOROUGH, TN 37659
TELEPHONE (423) 753-1030
FAX (423) 753-1074

Date: 5/2/25

From: The office of Planning and Building Standards.
Kevin R. Fair, Building Inspector

Re: Starbucks monument sign requested design change.

To: Glen Rosenoff

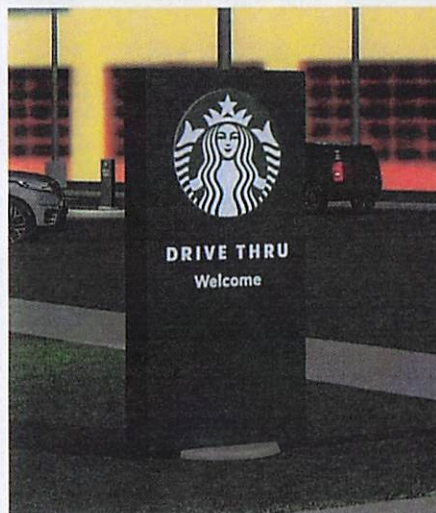
The Starbucks design team reached out wanting to install a larger monument sign for their new location at 1504 East Jackson Blvd. Jonesborough, TN 37659. I have attached the new design rendering with engineering specs, as well as renderings of the original design. Please let me know if you need anything further from me.

Sincerely, 
Kevin R. Fair

THE OLDEST TOWN IN TENNESSEE

EXHIBIT B-4
TENANT'S GENERIC SIGN PACKAGE

PRIMARY & PREFERRED LAYOUT



GROUND SIGN | MONUMENT PACKAGE

23070

* ORIGINAL *



- Double Faced Illuminated Monument Sign.
- Aluminum construction & aluminum skin with painted finishes.
- 125" thick face to be routed to accommodate push thru graphics.
- 375" Push thru graphics to have 3M vinyl applied to first and second surface.
- Illuminated with white LED modules with all electrical UL listed and labeled.
- Monument to be direct set into concrete footing per engineering for site location and soil condition.

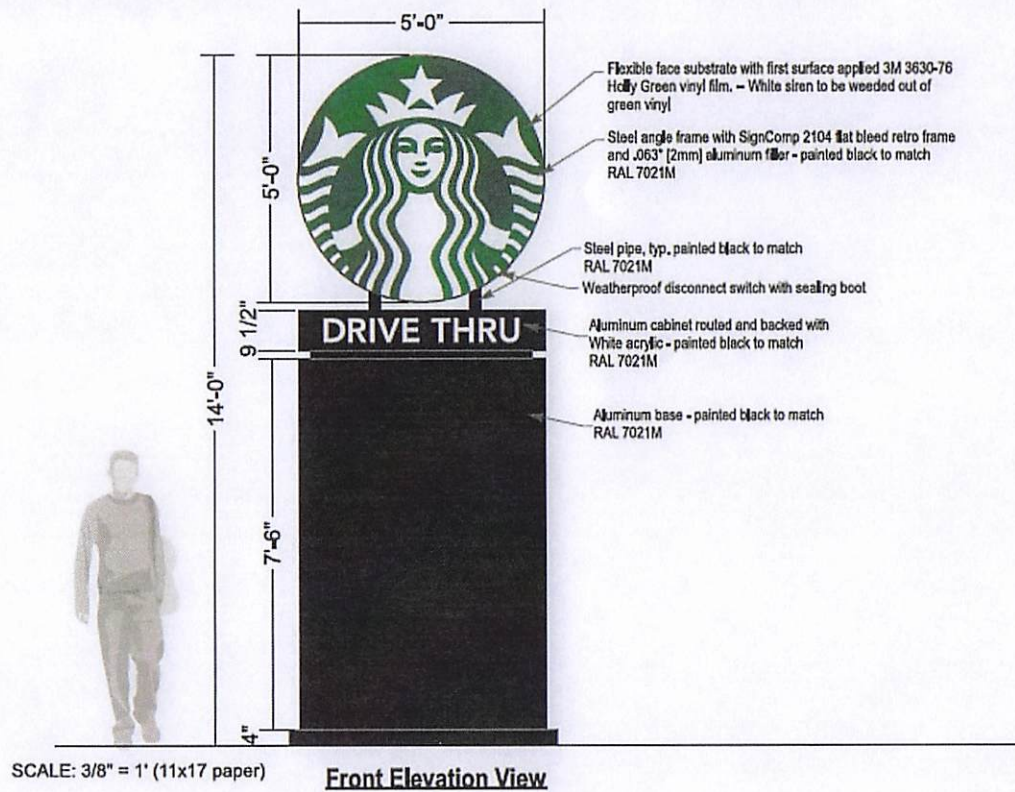
Colors:

- Painted Pantone 8550 (main finish)
- Painted Pantone 8410 Black (main finish)
- Clear Acrylic (push thru)
- 3M White Translucent Vinyl (first surface)
- 3M Diffuser Film (second surface)

SB-MON-IL-72

Starbucks | Monument | Illuminated | 72" Tall

* New proposed
Monument Sign.





JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: October 21, 2025 **AGENDA ITEM #:** 4

SUBJECT: Final Plat – Replat of the Johns and Cobham Properties

BACKGROUND:

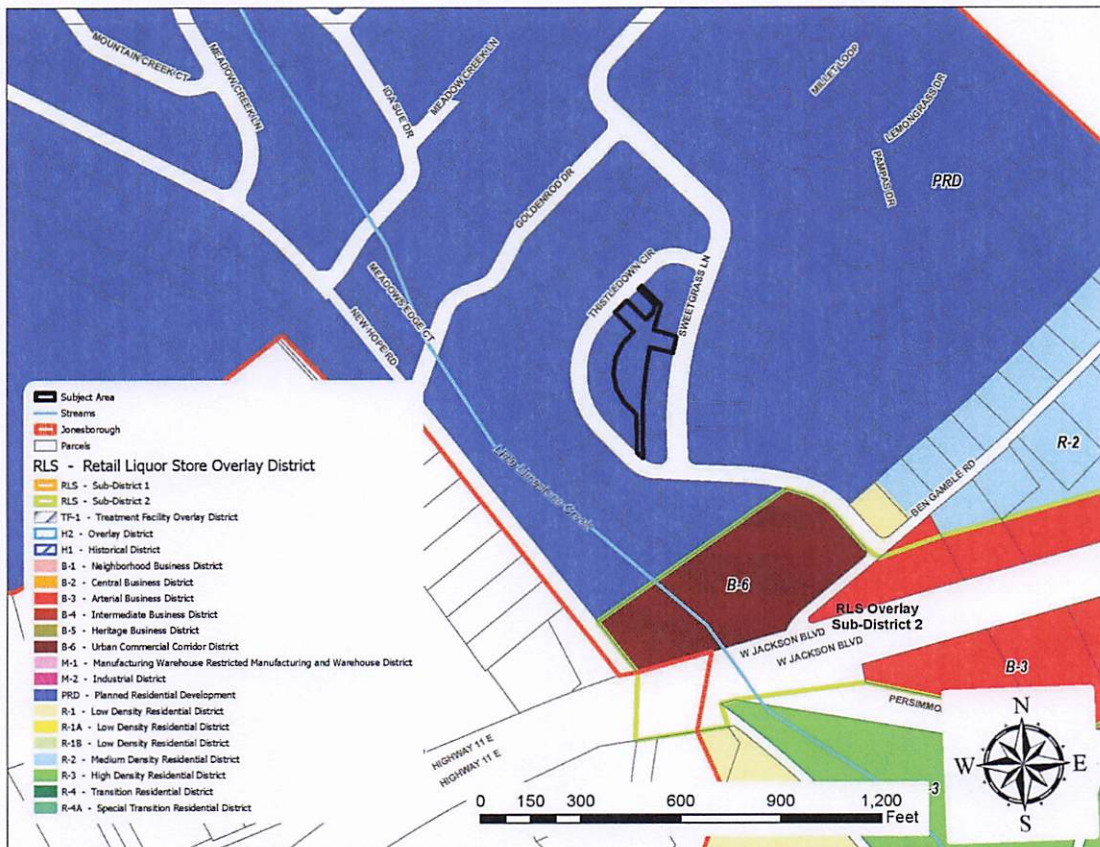
The Planning Commission is asked to consider granting final plat approval for the Replat of the Johns and Cobham Properties, which contains three (3) lots and 0.79 acres. The property is located inside the Town's limits.

The proposed lots have frontage on Thistledown Cir and Sweetgrass Ln, local residential streets. The zoning is PRD (Planned Residential District), and the lots conform to the approved site plan.

There is a variance to the Subdivision Regulations (p.18, Art.III.C.1.b.1.) associated with the plat to allow reduced road frontage for a flag lot on Thistledown Cir. The lot as shown has 14.33 ft of frontage, and the regulations require a minimum of 25 ft.

RECOMMENDATION:

As the amount of road frontage provided on Thistledown is unchanged from a prior approved plat, staff recommends approving the plat, with a variance to road frontage, subject to obtaining all the required signatures.



JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: October 21, 2025 **AGENDA ITEM #:** 5

SUBJECT: Public Chapter 994

BACKGROUND:

With the passage of Public Chapter 994, T.C.A. Section 13-3-402 and Section 13-4-302 are amended relative to planning commissions.

Section 3 of Public Chapter 994 adds new language for subdivisions. A regional planning commission may now delegate the responsibility for approval of a subdivision plat that includes:

- (A) No more than twenty-five (25) lots and only if the development received preliminary plan approval through the regional planning commission; or
- (B) No more than five (5) lots if the development did not require preliminary plan approval through the regional planning commission; provided, ...

Section 3 further stipulates that delegating this responsibility must be also be approved by a majority vote of the legislative body. For adherence, the Town of Jonesborough Board of Mayor and Aldermen must first approve such delegation.

If approval is granted by the legislative body, amendments to the Subdivision Regulations would be presented for compliance with the Public Chapter. Specifically, the amendments affect Article II. (Procedure for Plat Approval) Section D.6. (Final Plat).

(Note: As the Subdivision Regulations are within the authority and jurisdiction of the planning commission, a Public Hearing is required as part of the amendment process; therefore, a Public Hearing Notice would be advertised accordingly.)

RECOMMENDATION:

Staff recommends initiating the approval process of the compliance with Public Chapter 994, and subsequent amendments to Article II. Section D. of the Subdivision Regulations of the Town of Jonesborough.



State of Tennessee

PUBLIC CHAPTER NO. 994

HOUSE BILL NO. 2534

By Representatives Tim Hicks, Carr

Substituted for: Senate Bill No. 2692

By Senators Briggs, Bailey, Bowling

AN ACT to amend Tennessee Code Annotated, Section 13-3-402 and Section 13-4-302, relative to planning commissions.

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

SECTION 1. Tennessee Code Annotated, Section 13-3-402(a)(1), is amended by deleting the language "no more than two (2) lots" and substituting "no more than twenty-five (25) lots if the development received preliminary plan approval through the regional planning commission, or five (5) lots if the development did not require preliminary plan approval through the regional planning commission"; and is further amended by deleting the language "upon certification by the planning staff of the regional planning commission" and substituting "and upon certification by the regional planning commission, or by the planning staff of the regional planning commission if the commission has delegated this responsibility to its planning staff pursuant to subsection (c).".

SECTION 2. Tennessee Code Annotated, Section 13-3-402(b), is amended by deleting the first sentence and substituting:

A county register shall not receive, file, or record a plat of a subdivision, or an amendment, modification, or correction to a recorded plat of a subdivision, without the approval of the regional planning commission, or the planning staff of the regional planning commission if this responsibility has been delegated to the planning staff pursuant to subsection (c), when and as required by this part.

SECTION 3. Tennessee Code Annotated, Section 13-3-402(c), is amended by designating the existing language as subdivision (c)(1) and adding the following new subdivisions:

(2) A regional planning commission may only delegate the responsibility for approval of a subdivision plat that includes:

(A) No more than twenty-five (25) lots and only if the development received preliminary plan approval through the regional planning commission; or

(B) No more than five (5) lots if the development did not require preliminary plan approval through the regional planning commission; provided, that:

(i) The subdivision complies with such regulations governing a subdivision of land as adopted by the regional planning commission pursuant to § 13-3-403;

(ii) No request for a variance from such regulations has been requested; and

(iii) A division of land requiring new road or utility construction is not approved by the planning staff under this subsection (c) unless the plan received preliminary approval by the regional planning commission.

(3) A regional planning commission shall not delegate to its planning staff the authority to preliminarily approve, finalize approval of, or certify a subdivision plat, regardless of the number of lots proposed for the subdivision plan, consistent with the

parameters of this section, unless each county and municipal legislative body, lying in whole or in part within, and subject to, the jurisdiction of the regional planning commission, approves such delegation by a majority vote of their respective legislative bodies.

SECTION 4. Tennessee Code Annotated, Section 13-4-302(a), is amended by deleting the language "no more than two (2) lots" and substituting "no more than twenty-five (25) lots if the development received preliminary plan approval through the municipal planning commission, or five (5) lots if the development did not require preliminary plan approval through the municipal planning commission"; and is further amended by deleting the language "upon certification by the planning staff of the municipal planning commission" and substituting "upon certification by the municipal planning commission, or by the planning staff of the municipal planning commission if the commission has delegated this responsibility to its planning staff pursuant to subsection (d),".

SECTION 5. Tennessee Code Annotated, Section 13-4-302(c), is amended by deleting the first sentence and substituting:

A county register shall not file or record a plat of a subdivision of land, or an amendment, modification, or correction to a recorded plat of a subdivision, within the municipality without the approval of the municipal planning commission, or the planning staff of the municipal planning commission if this responsibility has been delegated to the staff as provided in subsection (d), as required by this part.

SECTION 6. Tennessee Code Annotated, Section 13-4-302, is amended by adding the following new subsection (d):

(d)

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

(2) This delegation may only include subdivision plats that include:

(A) No more than twenty-five (25) lots and only if the development received preliminary plan approval through the municipal planning commission; or

(B) No more than five (5) lots if the development did not require preliminary plan approval through the municipal planning commission; provided, that:

(i) The subdivision complies with such regulations governing a subdivision of land as adopted by the municipal planning commission pursuant to § 13-4-303;

(ii) No request for a variance from such regulations has been requested; and

(iii) A division of land requiring new road or utility construction is not approved by the planning staff under this subsection (d) unless the plan received preliminary approval by the municipal planning commission.

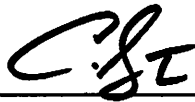
(3) A municipal planning commission shall not delegate to its planning staff the authority to preliminarily approve, finalize approval of, or certify a subdivision plat, regardless of the number of lots proposed for the subdivision plan, consistent with the parameters of this section, unless the municipal legislative body approves such delegation by a majority vote of the legislative body.

HB2534

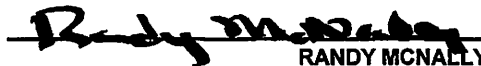
SECTION 7. This act takes effect upon becoming a law, the public welfare requiring it.

HOUSE BILL NO. 2534

PASSED: April 14, 2022



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 4th day of May 2022



BILL LEE, GOVERNOR