

CHAPTER NO. 265

HOUSE BILL NO. 252

By Representatives Scroggs, Sargent, Johnson

Substituted for: Senate Bill No. 250

By Senators Norris, Rochelle, Cohen and Mr. Speaker Wilder

AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 7, Part 1 and Title 13, Chapter 7, Part 2, relative to zoning and public planning.

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

SECTION 1. Tennessee Code Annotated, Section 13-7-101(a)(2), is amended by deleting the second sentence of item (A) and by adding the following language as a new paragraph at the end of item (A):

A town, city, county, a county with a metropolitan form of government, the state of Tennessee, or a not-for-profit conservation or preservation organization may be the receiving entity of a development right without allocating or designating the transferred development right to any receiving property under its ownership or control. A town, city, county, a county with a metropolitan form of government, the state of Tennessee, or a not-for-profit conservation or preservation organization shall be allowed to receive all or part of the donating property's development rights notwithstanding any local zoning regulations pertaining to any required ratio or amount of land area a receiving property must contain in relation to the land area of the donating property or of the total amount of density that a receiving property may obtain from the donating property.

SECTION 2. Tennessee Code Annotated, Section 13-7-101(a)(2)(B), is amended by deleting the words and punctuation "agricultural, or" and by substituting instead the following:

agricultural, rural area as designated in the county's growth plan, or

SECTION 3. Tennessee Code Annotated, Section 13-7-101(a)(2), is amended by adding the following language as a new sentence at the end of item (B):

A property owner may donate through gift or through testamentary disposition all or part of the development rights of the owner's property to a town, city, county, a county with a metropolitan form of government, the state of Tennessee, or a not-for-profit conservation or preservation organization.

SECTION 4. Tennessee Code Annotated, Section 13-7-101(a)(2), is amended by deleting item (D).

SECTION 5. Tennessee Code Annotated, Section 13-7-201(a)(2), is amended by deleting the second sentence of item (A) and by adding the following language as a new paragraph at the end of item (A):

A town, city, county, a county with a metropolitan form of government, the state of Tennessee, or a not-for-profit conservation or preservation organization may be the receiving entity of a development right without allocating or designating the transferred development right to any receiving property under its ownership or control. A town, city, county, a county with a metropolitan form of government, the state of Tennessee or a not-for-profit conservation or preservation organization shall be allowed to receive all or part of the donating property's development rights notwithstanding any local zoning regulations pertaining to any required ratio or amount of land area a receiving property must contain in relation to the land area of the donating property or of the total amount of density that a receiving property may obtain from the donating property.

SECTION 6. Tennessee Code Annotated, Section 13-7-201(a)(2), is amended by adding the following language as a new sentence at the end of item (B):

A property owner may donate through gift or through testamentary disposition all or part of the development rights of the owner's property to a town, city, county, a county with a metropolitan form of government, the state of Tennessee, or a not-for-profit conservation or preservation organization.

SECTION 7. Tennessee Code Annotated, Section 13-7-201(a)(2), is amended by deleting item (D).

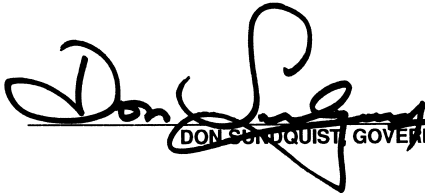
SECTION 8. This act shall take effect upon becoming law, the public welfare requiring it.

PASSED: May 14, 2001


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 22nd day of May 2001


DON SUNDQUIST, GOVERNOR