



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2023-2047

**Type:** Resolution      **Status:** Passed

**File created:** 2/23/2023      **In control:** Planning and Zoning Committee

**On agenda:** 3/7/2023      **Final action:** 3/7/2023

**Title:** A resolution to approve the delegation of authority from the Metropolitan Planning Commission to the Planning Commission staff related to approval of subdivision plats.

**Sponsors:** Brett Withers

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/10/2023	1	Mayor	approved	
3/7/2023	1	Metropolitan Council	adopted	
3/6/2023	1	Planning and Zoning Committee	approved	
2/28/2023	1	Metropolitan Council	filed	

A resolution to approve the delegation of authority from the Metropolitan Planning Commission to the Planning Commission staff related to approval of subdivision plats.

WHEREAS, Tennessee Code Annotated Sections 13-3-402 and 13-4-302 were amended in 2022 under Public Chapter 994; and

WHEREAS, the amended Sections allow for the Metropolitan Planning Commission to delegate certain authorities to the Planning Commission staff related to approval of subdivision plats; and

WHEREAS, prior to the Metropolitan Planning Commission delegating the authority to Planning Commission Staff, the Metro Council must approve the delegation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Pursuant to Section 13-3-402(c) and Section 13-4-302(d), the Metro Planning Commission is permitted to delegate the authority to approve the following subdivision plats to the Planning Commission staff:

- (A) Plats that include no more than twenty-five (25) lots and only if the development received preliminary plan approval through the Metropolitan Planning Commission; or
- (B) Plats that include no more than five (5) lots if the development did not require preliminary/concept plan approval through the Metropolitan Planning Commission; provided, that:
  - (i) The subdivision complies with such regulations governing a subdivision of land as adopted by the Metropolitan Planning Commission;
  - (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 unless the plan received preliminary/concept plan approval by the Metropolitan Planning Commission

Section 2. That this resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

### Analysis

This resolution approves the delegation of authority from the Metropolitan Planning Commission to authorize the Planning Commission staff to approve certain subdivision plats.

In 2022, Tennessee Code Annotated Sections 13-3-402 and 13-4-302 were amended to allow for the delegation to approve certain subdivision plats to the staff of a planning commission. The Metropolitan Planning Commission proposes to delegate the following approvals to Planning Commission staff:

- Plats that include no more than twenty-five (25) lots and only if the development received preliminary plan approval through the Metropolitan Planning Commission; or
- Plats that include no more than five (5) lots if the development did not require preliminary/concept plan approval through the Metropolitan Planning Commission; provided, that:
  - The subdivision complies with such regulations governing a subdivision of land as adopted by the Metropolitan Planning Commission;
  - No request for a variance from such regulations has been requested; and
  - A division of land requiring new road or utility construction is not approved by the planning staff unless the plan received preliminary/concept plan approval by the Metropolitan Planning Commission

This resolution approves the above delegation.