

SENATE BILL 2124

By Briggs

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. Part definitions.

As used in this part:

(1) "Accessory dwelling unit" means an independent habitable living unit added to, created within, or detached from a primary single-unit dwelling on the same parcel;

(2) "Duplex" means a building designed for two (2) attached dwelling units in which the dwelling units share a common separation, such as a ceiling or wall, and in which access cannot be gained between the units through an internal doorway;

(3) "Dwelling" means a building designed for residential living purposes, including single-unit, two-unit, and multi-unit dwellings;

(4) "Dwelling unit" means one (1) or more rooms designed for or occupied exclusively by one (1) household;

(5) "Fourplex" means a building designed for four (4) attached dwelling units in which the dwelling units share a common separation, such as a ceiling or wall, and in which access cannot be gained between the units through an internal doorway, excluding common hallways;

(6) "Metropolitan government" means the political entity created by consolidation of all, or substantially all, of the political and corporate functions of a county and a city or cities;

(7) "Multi-unit dwelling" means a building designed for five (5) or more attached dwelling units in which the dwelling units share a common separation, such as a ceiling or wall, and in which access cannot be gained between the units through an internal doorway, excluding common hallways;

(8) "Municipality" means an incorporated city or town, and does not include any utility district, sanitary district, school district, or other public service district, whether organized under a public or private act;

(9) "Single-room occupancy development" means a development with dwelling units in which residents rent a private bedroom with a shared kitchen and bathroom facilities;

(10) "Single-unit dwelling" means a building designed for one (1) dwelling unit that is detached from another dwelling unit;

(11) "Tiny home" means a dwelling that is four hundred square feet (400 sq. ft.) or less in floor area and excludes lofts; and

(12) "Triplex" means a building designed for three (3) attached dwelling units in which the dwelling units share a common separation, such as a ceiling or wall, and in which access cannot be gained between the units through an internal doorway, excluding common hallways.

13-7-702. Allowed housing strategies.

On or before July 1, 2025, each municipal and metropolitan government shall adopt no fewer than four (4) of the following housing strategies:

- (1) Allow, as a permitted use, for at least a duplex where a single-unit dwelling is permitted;
- (2) Eliminate or reduce off-street parking requirements to require no more than one (1) parking space per dwelling unit;
- (3) Allow, as a permitted use, for at least one (1) internal or detached accessory dwelling unit on a lot with a single-unit dwelling occupied as a primary residence;
- (4) Allow for single-room occupancy developments;
- (5) Allow, as a permitted use, a triplex or fourplex where a single-unit dwelling is permitted;
- (6) Eliminate minimum lot sizes or reduce the existing minimum lot size required by at least twenty-five percent (25%);
- (7) Eliminate aesthetic, material, shape, bulk, size, floor area, and other massing requirements for multi-unit dwellings or mixed-use developments or eliminate at least fifty percent (50%) of those existing requirements;
- (8) Provide for zoning that specifically allows or encourages the development of tiny homes;
- (9) Eliminate setback requirements or reduce existing setback requirements by at least twenty-five percent (25%);
- (10) Allow multi-unit dwellings or mixed-use development as a permitted use on all lots where office, retail, or commercial are primary permitted uses;
- (11) Allow multi-unit dwellings as a permitted use on all lots where triplexes or fourplexes are permitted uses; or

(12) Eliminate impact fees for accessory dwelling units or developments that include multi-unit dwellings or reduce the fees by at least twenty-five percent (25%).

13-7-703. Effect of non-compliance.

For any municipal or metropolitan government that has not adopted a minimum of four (4) of the housing strategies as required in § 13-7-702, the municipal or metropolitan government is ineligible to receive the following grants so long as the local government remains out of compliance with § 13-7-702:

- (1) Community development block grants administered by the department of economic and community development;
- (2) Downtown improvement grants administered by the department of economic and community development;
- (3) Historic development grants administered by the department of economic and community development;
- (4) Local parks and recreation fund grants administered by the department of environment and conservation;
- (5) Tennessee downtowns administered by the department of economic and community development;
- (6) Tennessee main streets administered by the department of economic and community development;
- (7) Three star program administered by the department of economic and community development;
- (8) Tourism enhancement grant administered by the department of tourist development; and

(9) Tourism marketing grant administered by the department of tourist development.

SECTION 2. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 3. This act takes effect July 1, 2024, the public welfare requiring it.