

AN ORDINANCE TO AMEND THE COLLIERVILLE ZONING ORDINANCE BY ADDING SECTION §151.024(C) WHICH CONTAINS SPECIFIC PROVISIONS TO REGULATE THE LOCATION AND CONSTRUCTION OF CONVENIENCE STORES / SERVICE STATIONS ALSO AMENDING §151.003 TO MODIFY THE DEFINITION OF CONVENIENCE STORE TO ADD SERVICE STATION , AMENDING §151.021 TO ADD A NEW FOOTNOTE 13 RELATED TO CONVENIENCE STORES / SERVICE STATIONS, AND AMENDING §151.021 WHICH SPECIFIES WHERE USES ARE PERMITTED IN EACH ZONING DISTRICT (TABLE OF USES) IN THE TOWN OF COLLIERVILLE, TENNESSEE.

WHEREAS, the Town of Collierville has the authority granted by Tennessee Code Annotated §§ 13-7-201 through §§ 13-7-306, as may be amended from time to time, to regulate land uses within its corporate limits; and,

WHEREAS, the Town of Collierville desires to add new requirements for Convenience Stores and Service Stations to ensure better placement of this land use within the community; and,

WHEREAS, the Town of Collierville finds it necessary to regulate this land use in its zoning regulations; and,

WHEREAS, the Collierville Planning Commission reviewed the proposed amendments to the Town of Collierville Zoning Ordinance on September 2, 2021, and made a recommendation to the Board of Mayor and Aldermen to approve the amendments; and,

WHEREAS, a Public Hearing before the Board of Mayor and Aldermen for the Town of Collierville was held on October 11, 2021, pursuant to a notice thereof published in a newspaper of general circulation within the community on September 30, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN FOR THE TOWN OF COLLIERVILLE, TENNESSEE, THE COLLIERVILLE ZONING ORDINANCE IS HEREBY AMENDED AS FOLLOWS:

ADD THE FOLLOWING TO § 151.024 TO THE COLLIERVILLE ZONING ORDINANCE SPECIFYING PROVISIONS FOR CONDITIONAL USES.

Proposed Amendment to § 151.024 Specific Provision for Conditional Uses. Add the following subsection. If adopted, it would become § 151.024 (C).

(C) Convenience Stores / Service Stations

(1) The purpose of this division is to establish guidelines for the siting, design, and operation of convenience stores / service stations. Due to the potential impact these facilities have on surrounding properties, this land use is subject to the following supplemental provisions: No repair work may be performed out of doors. This does not preclude, however, adding oil to motor vehicles, changing windshield wipers or other similar simple repairs normally performed by the customer in conjunction with the sale of gasoline.

There shall be no outside storage or display of accessories or portable signs when gasoline service station facilities are not open for business.

No gasoline pump shall be located closer than twenty-five (25) feet from any property line.

The hours of operation shall be as follows:

1. Convenience Store: 5:00 a.m. – 12:00 a.m., midnight.
2. Sale of Alcoholic Beverages: Hours as determined by the Town of Collierville Beer Board.
3. Drive-Through Carwash: 7:00 a.m. – 10:00 p.m.
4. Service Station: 5:00 a.m. – 12:00 a.m., midnight.

The following requirements shall apply to the sale of beer and wine from the convenience store covered by this conditional use permit. Additional requirements may be made by the Town of Collierville Beer Board:

1. Alcohol sales are limited to beer and wine only.
2. Beer and wine cannot be displayed within five feet of the cash register or front door unless they are stored in a permanently located cooler.
3. No advertisements of alcoholic beverages may be displayed at the fuel islands.
4. Beer and wine may not be displayed from an open ice-tub.
5. No self-illuminating advertising of beer and wine is allowed on windows or doors at any time.
6. The applicants shall maintain a clear line-of-sight from the cash registers to the shelves storing the beer and wine products; and
7. The applicants shall provide on-going training programs to the convenience market operators on identifying and then dealing with inebriated drivers wanting to purchase beer and wine from the convenience store.

Provides safe and efficient public access, circulation, and parking, including bicycle and pedestrian accommodations where appropriate.

The proposed use will not create an overconcentration of convenience stores in the vicinity. In any case they shall be a minimum of 1,320 feet (1/4 mile) apart, as measured from nearest property line to nearest property line.

- (2) Siting Considerations. All convenience stores / service stations are subject to the following siting policies:

The primary building shall be designed to incorporate anti-“smash and grab” elements to discourage theft and robbery.

The lot or parcel shall have a minimum frontage of 250 feet on a public road classified as a major collector road, or higher classification, as identified by the Collierville Major Road Plan.

The lot or parcel shall be limited to one ingress/egress access point per public road frontage. The Town reserves the right to require the access to be an indirect access or shared access depending on site location.

The lot or parcel shall not be adjacent to, or within 1,000 feet of an existing single family residential neighborhood or development.

All vacuum and air supply equipment shall be screened from adjacent properties and public rights-of-way with materials designed to match the building.

All dumpsters and HVAC systems shall be screened from adjacent properties and public rights-of-way with materials and designed to match the building.

The fuel pump area shall not interfere with the parking spaces or internal circulation of the site. In developments or buildings with multiple uses, the fuel pump area shall be separated from the parking and internal circulation of other uses.

- (3) Canopies shall meet the following requirements:

Canopies shall be setback at least fifteen (15) feet from any property line and right-of-way line and fifty (50) feet from abutting residentially zoned properties.

Canopies shall have a maximum height of fifteen (15) feet, measured from the site’s average finished grade to the underside of the canopy. For sloped canopies, this 15-foot maximum can be measured from the site’s average finished grade to the average distance between the eaves and ridge level.

Lighting for canopies shall be recessed so that the bottom of the lighting fixture is flush with the underside of the canopy, using a full cutoff flat lens luminaire.

Canopies shall be designed to be architecturally compatible with main structure on site and structures in the surrounding area regarding color and building materials.

(4) Merchandise and Deliveries

All merchandise shall be kept entirely within the convenience store. There shall be no outdoor display, vending, or storage on the outside of the building, other than a screened propane enclosure. The screened propane enclosure shall not be visible from the street.

All delivery and unloading of merchandise and fuel shall take place on the subject property. At no time shall delivery vehicles be parked on public streets, private roads, alleys, or adjacent properties for purposes of unloading merchandise or delivering fuel.

Deliveries for the convenience store shall take place between 8:00 a.m. and 6:00 p.m. The business operator/responsible party shall ensure that deliveries occur during off-peak hours and delivery vehicles are parked in parking stalls, to the extent possible, and do not block driveways or circulation around the site.

(5) Signs and Other Limitations

The applicant/operator shall post signs around the store which prohibits loitering on the site. Said signs shall be subject to the review and approval by the Collierville Planning Division prior to installation.

All signs shall comply with §151.170, the Town's Sign Regulations.

Fuel pricing signs shall be displayed. The location of these signs shall be subject to the review and approval by the Collierville Planning Division prior to installation.

At no time shall balloons, banners, festoons, pennants, or other attention-getting devices be utilized on the site.

No outdoor music or television viewing is permitted.

No motor vehicle rental or sale operations shall be permitted.

No trailer rental or sale operations shall be permitted.

ADD THE FOLLOWING FOOTNOTE IN §151.021. THIS FOOTNOTE WOULD BECOME FOOTNOTE 13

13. Convenience Store / Service Station businesses also have additional special conditions and specific standards in §151.024(C).

AMEND THE DEFINITION OF CONVENIENCE STORE IN §151.003 DEFINITIONS TO READ AS FOLLOWS:

CONVENIENCE STORE / SERVICE STATION. A retail establishment offering items of everyday consumption such as those offered by food stores and eating places, in which convenience and habit play a more important role in the buying decision than price alone.

Gasoline pumps may be allowed as accessories to the primary retail uses.

AMEND §151.021 USES PERMITTED IN EACH ZONING DISTRICT (TABLE OF USES) TO READ AS FOLLOWS:

Use Classifications / Principal Uses	F A R	R - L	R - L 1	R - 2 5	R - 1	R - 1 A	R - 2	R - 3	R - 3 A	R - 4	R - T H	T	M P O	S C C	G C	R I	G I	C B	N C	M U	T N
Convenience Store / Service Station														C U P	C U P			C U P		C U P	

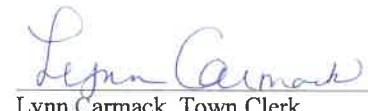
BE IT FURTHER ORDAINED that this ordinance shall become effective on third and final reading, the public welfare so requiring it.

Passed First Reading: September 27, 2021

Passed Second Reading: October 11, 2021

Passed Third Reading: October 25, 2021


 Stan Joyner, Mayor


 Lynn Carmack, Town Clerk