

ORDINANCE 2021-14

AN ORDINANCE TO AMEND TITLE XV, CHAPTER 151, OF THE TOWN OF COLLIERVILLE CODE OF ORDINANCES BY AMENDING § 151.025 (D) RELATED TO CLUSTER MAILBOX UNITS (CBUs), OUTDOOR DISPLAY, AND OUTDOOR STORAGE.

WHEREAS, the Board of Mayor and Aldermen has identified a need to update and revise the Town’s zoning regulations as it relates to cluster mailboxes to address recent changes implemented by the U.S. Post Office; and,

WHEREAS, the Board of Mayor and Aldermen recently adopted Ordinance 2021-06, which allows for outdoor storage areas in GI: General Industrial Districts to be surfaced with recycled concrete and gravel; and,

WHEREAS, the Board of Mayor and Aldermen has identified a need to update and revise the Town’s zoning regulations as it relates to outdoor display and storage, as such accessory activities only need to be shown on an approved site plan on file with the Town and do not warrant a Conditional Use Permit (CUP); and,

WHEREAS, the Collierville Planning Commission reviewed the proposed amendment at the regular meeting held on September 2, 2021, and made a recommendation to the Board of Mayor and Aldermen to approve the proposed amendments; and,

WHEREAS, a public hearing before the Board of Mayor and Aldermen was held on September 27, 2021, pursuant to notice thereof published in a newspaper of general circulation within the community on September 9, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN FOR THE TOWN OF COLLIERVILLE, TENNESSEE, THAT:

Section 1. §151.025(D), Listed accessory activities, uses, buildings, or structures, is hereby amended as follows, with new text to be added is in **bold underlined** print and text to be deleted is ~~struck through~~:

§ 151.025 ACCESSORY USES PERMITTED IN EACH ZONING DISTRICT.

§ 151.025(D) *Listed accessory activities, uses, buildings, or structures.* The table below lists the allowed types of accessory uses and structures. If a specific accessory use is allowed “by right, with conditions” in a district, the column underneath the district is marked with a number indexed to any applicable special conditions to the specific accessory use found in divisions of § 151.025(D), such as “(8)” for home occupations. For general standards and limitations that apply to all accessory uses, see § 151.025(C). If the accessory use or structure is not allowed in a district, the column is left blank. If there is a reference contained in a column entitled “CUP”, a conditional use permit is required for the accessory use per the procedures outlined in § 151.310 in addition to any conditions applicable in § 151.025(C) and (D).

| Accessory Use/ Structure | R-L | R-L1 | R-25 | R-1 | R-1A | R-2 | R-2A | R-3 | R-3A | R-4 | R-TH | T | TN | NC | MPO | MU | SCC | CB | GC | RI | GI | FAR |
|---------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Cluster Mailbox Units (CBUs) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) | (20) |
| Outdoor display (customary) | | | | | | | | | | | | | | CUP (12) | | CUP (12) | CUP (12) | CUP (12) | CUP (12) | CUP (12) | CUP (12) | CUP (12) |
| Outdoor storage | | | | | | | | | | | | | | CUP (13) | | CUP (13) | CUP (13) | CUP (13) | CUP (13) | CUP (13) | CUP (13) | CUP (13) |
| Unidentified accessory uses/structure | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) | (20) (21) |

(13) *Outdoor storage.* The following regulations shall apply to outdoor storage in any nonresidential zoning district in which such storage is permitted.

- (a) The locations of outdoor storage shall be delineated on the site plan and reviewed and approved per § 151.311.
- (b) Any outdoor storage of goods or merchandise shall:
 - 1. Be located to the side or rear of the principal structure;
 - 2. Comply with the minimum building setback requirements;
 - 3. Be placed on paved or dust free areas **except where expressly allowed by §151.115 (D)**;
 - 4. Be stacked no higher than two feet below the height of the fence used to screen the storage area;
 - 5. Not occupy designated or required parking spaces, fire lanes, internal traffic lanes, required landscape buffers, public rights-of-way, or private access roads;
 - 6. Not comprise no more than 10% of the gross site area for sites within the NC, CB, GC, MU, or SCC Districts; and
 - 7. Not be placed on elevated pads, ramps or similar structures that serve primarily to increase the visibility of the items; however, outdoor storage may be elevated off the ground, not more than six inches, to allow for better maintenance and upkeep.
- (c) *Screening requirements.* Outdoor storage areas shall be fully screened from view off-site or from public rights-of-way with an opaque material (fencing, walls, landscaping, or combination thereof) with the following exceptions:
 - 1. Live vegetative products are except from the screening requirement and may be unscreened.

2. Fleet storage of vehicles used in the operation of the business is not required to be fully screened, but such parking areas must be screened and landscaped per the Design Guidelines the same as a commercial parking lot.

(d) *Covering requirements.* Storage shall be located inside of the principal building, within an accessory building, or be fully covered by a canopy, open shed, awning, or similar open air structure; however, the following are uses may be uncovered:

1. Automobiles, boats, motorcycles, ATVs, RVs, trailers, and similar vehicles;
2. Dumpsters or recycling containers;
3. Mobile homes/pre-fabricated homes;
4. Moving equipment;
5. Agricultural equipment;
6. Heavy equipment;
7. Fruit, vegetables, or nursery products;
8. Rock, gravel, dirt, and sand; and
9. Certain items within the RI, GI, or FAR Districts, that, by their nature, are customarily stored outdoors that, in the opinion of the Town Planner, would be impractical to cover.

(e) *Prohibited storage.* The following forms of outdoor storage shall be prohibited:

1. Storage within a truck, trailer, covered container, or similar container, whether on wheels or stationary, except temporarily used during construction per § 151.026;
2. Outdoor storage of trash or other debris;
3. Outdoor storage of wood or other attractive nuisances; and
4. The unscreened storage of vehicles, trailers, or similar equipment awaiting repair, whether operable, licensed, or otherwise. The intent of this provision is not to regulate the normal drop-offs for on-site repair in a timely manner, but instead to prohibit unscreened storage on a property for extended periods of time.

(20) Cluster Mailbox Units (CBUs). Centralized mail kiosks or mail delivery systems used by the United States Postal Service (USPS) for mail and package delivery shall comply with the following standards:

- (a) CBUs shall be built to USPS specifications with a concrete pad.
- (b) CBUs shall not be located within 50 feet of the perimeter of the development.
- (c) CBUs shall be located as follows:
 1. Within a building, such as an apartment building, or an accessory facility serving the development such as a clubhouse or pool house; or
 2. Stand-alone.
- (d) CBUs shall be accessed by walkways or sidewalks meeting handicap accessibility width and paving requirements. Any walkways or sidewalks shall connect CBUs to parking areas and the overall walkway and sidewalk system of the development if they exist.
- (e) CBUs shall be located in common open space maintained by a homeowners' association/property owners association (HOA/POA) or on private property in an easement for maintenance by an HOA/POA. The Town is not responsible for the maintenance of CBUs.
- (f) CBUs shall not be located in public right-of-way, block public sidewalks, or block vehicular sight visibility.
- (g) The area of each CBU located in common open space shall apply towards any required open space for the development.
- (h) If adequate lighting is to be provided for CBUs, then light fixtures shall comply with § 151.190 if needed.
- (i) The aesthetic nature of the CBU shall be considered an integral element of the overall site design and shall be reviewed by the DRC or HDC, as applicable, as part of the development application review procedures.
 1. Structures for CBUs shall be designed to be compatible with the dwellings in the neighborhood and any other common open space structures in scale, design, materials, and color.
 2. The mail storage containers of the CBU shall be bronze, black, dark green, or anodized (silver) aluminum in color.

(2021) Interpretation of unidentified accessory uses. The Town Planner shall evaluate applications for accessory uses that are not identified in § 151.025(D) on a case-by-case basis, based on the following standards:

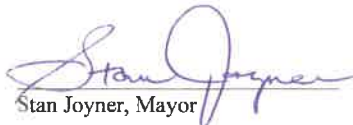
- (a) The definition of accessory use in § 151.003, and the general accessory use standards and limitations established in § 151.025(C);
- (b) The additional standards for comparable accessory uses, if applicable, established in § 151.025(D);
- (c) The purpose and intent of the base district, overlay district, or planned development in which the accessory use is located;
- (d) Potential adverse impacts the accessory use or structure may have on other lots, compared with other accessory uses permitted in the district; and
- (e) The compatibility of the accessory use with other principal and accessory uses permitted in the district.

Section 2. BE IT FURTHER ORDAINED that this ordinance shall become effective on Third and Final Reading, in accordance with the Charter of the Town of Collierville, the public welfare requiring it.

Passed First Reading: September 13, 2021

Passed Second Reading: September 27, 2021

Passed Third Reading: October 11, 2021


Stan Joyner, Mayor


Lynn Carmack, Town Clerk