REPORT TO THE BOARD OF MAYOR & ALDERMEN

DATE: November 9, 2026

FROM: Jaime W. Groce, AICP, Town Planner

SUBJECT: Ordinance 2026-12 - **Second Reading and Public Hearing** - An Ordinance To Amend Title XV, Chapter 151, of the Town of Collierville Code of Ordinances by Amending §151.003 Definitions; §151.006(C) Fences, Walls and Hedges; §151.021 Uses Permitted in Each Zoning District; §151.160 Procedures for Planned Development Approval; §151.176 Sign Permit Application and Issuance; §151.200 Administration; §151.271 Approval; §151.308 Board of Zoning Appeals; §151.309 Variances; §151.310 Conditional Use Permits; §151.311 Site Plan Review; §151.313 Vesting; §151.314 Public Notice; and, Establishment of §151.315 Mandatory Timeframes and §151.316 Administrative Approval of Minor Subdivisions, Related to a Variety of Development Standards and Processes

INTRODUCTION:
The Board of Mayor and Aldermen (BMA) is being asked to approve on Second Reading Ordinance 2026-12 (Exhibit 6), a staff-initiated amendment to the Zoning Ordinance addressing a variety of development standards and processes related to recent changes in State Law and emerging trends.

BACKGROUND:
Public Chapter 1044 (Exhibit 1), which becomes effective January 1, 2027, will impose strict, enforceable deadlines on development plan reviews and approvals, site inspections, and project surety (i.e. letters of credit) releases. Certain milestones, such as issuance of consolidated comments, administrative approval, or placement on a public meeting agenda, will be applicable or the request would be approved automatically as submitted.

To ensure successful implementation, several amendments to local regulations (i.e. Zoning Ordinance and Subdivision Regulations) and processes are needed. An interdepartmental working group comprised of staff members from Planning, Engineering, Building and Codes, Fire Department, and Public Utilities, has been formed to study Public Chapter 1044 and develop new tracking systems, regulations, forms, and processes. Staff is working closely with the Town Attorney, the University of Tennessee Center for Local Planning (CLP), and peer cities to ensure local compliance with the new timeframes.

The Planning Commission (PC) discussed the proposed amendments at its August and September 2026 meetings. The BMA discussed the proposed amendments at a non-voting work session in September 2026. The PC recommended approval of Ordinance 2026-12 on October 1, 2026. Included in the motion was an amendment to provide additional public notice for administratively reviewed cases. To address the PC's concerns, Attachment O (see Exhibit 6) was added to Ordinance 2026-12 and will amend §151.314, Public Notice. A joint non-voting work session of the BMA and PC is set for November 9, 2026, to discuss public notice for administrative cases and potentially adding data center standards to Ordinance 2026-12 prior to adoption.

DISCUSSION:

1. Town Staff routinely prepare "cleanup" changes to the Zoning Ordinance to address recent changes in State Law and emerging trends. A detailed summary of topics to be addressed by Ordinance 2026-12 can be found in Exhibit 5.

2. While the mandatory review timeframes will increase clarity and predictability for property owners and developers during the application review process, it could also mean increased delays due to Staff not processing insufficient applications or denials of cases not compliant with Town standards.

3. PC 1044 will require the Town to refund 50% of the application review fee if an application is administratively denied after a written response to deficiencies is provided and a revised plan is submitted. A partial refund will not be required if a Board or Commission denies the application.

4. PC 1044 provides property owners with increased predictability for the release of sureties and timing of inspections for public and private improvements.

- For the initial site inspection, the Town must either approve the inspection or provide property owner with a written deficiency notice within 30 business days from inspection request.
- Property owners can hire independent engineers to demonstrate compliance and the Town must respond within prescribed timeframes.
- Staff decisions related to unapproved/failed site inspections can be appealed to the Board of Zoning Appeals.

5. The changes will take effect January 1, 2027, if adopted on Third and Final Reading by the BMA. Language has been added to the ordinance stating the regulations will not apply to any sufficient pending applications.

NEXT STEPS:

- **PC Review:** The PC will consider separate changes to the Subdivision Regulations via PC Resolution 2026-B, which are tentatively scheduled to be effective January 1, 2027.
- **BMA Review:** The BMA will consider Ordinance 2026-12 on three separate readings. The third and final reading is scheduled for November 23, 2026. Additional stakeholder input can be received throughout this process. The BMA can change an ordinance at the second and third readings.
- **Checklists, Business Rules, and Training:** Town Staff will develop updated checklists, forms, and business rules so the Town can fully comply with the changes to State Law to become effective January 1, 2027. The BMA will be asked to adopt the new checklists tentatively on December 14, 2026. Training for staff and frequent customers will be offered this winter as the new forms and processes are decided.

STAFF RECOMMENDATION: Approval of Ordinance 2026-12 (Exhibit 6) is recommended, as it is consistent with the Grounds to Amend the Zoning Ordinance (Exhibit 4) and necessary to comply with recent changes to State Law. If the BMA make significant changes to Ordinance 2026-12 at the second reading, the BMA should consider continuing the public hearing to the third reading on November 23, 2026, to allow for additional public feedback. Another alternative is the BMA could defer the second reading and public hearing to November 23, 2026, which would delay the third reading to December 14, 2026.

ATTACHMENTS:
Exhibit 1 - PC1044 Shot Clocks - Signed by Gov - Effective 1-1-27
Exhibit 2 - TCA re Minor Plats.pdf
Exhibit 3 - PC 0980 Daycare Inspections - Red Tape Reduction Act
Exhibit 4 - Staff Analysis of Grounds for Amendment - 9-25-26
Exhibit 5- Edits Summary Table - 10-14-26.pdf
Exhibit 6 - Ordinance 2026-12 (Cover Ord.) - 10-26-26.pdf

PROPOSED MOTION:
To approve of Ordinance 2026-12 (Exhibit 6) on Second Reading.

Board Action: Motion By_____ Seconded By_____

Vote Total	Hall	Jordan	Robbins	Marshall	Stamps	Fraser
Yes						
No						
Abstain						