TOWN OF COLLIERVILLE

Annexation & Plan of Services Request

Planning Division
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GENERAL DESCRIPTION: Municipal annexation is a process by which a municipality expands its boundaries into adjacent areas not already incorporated into the municipality. In 1998, the Tennessee General Assembly passed Public Chapter 1101 (PC 1101 or the Growth Policy Act). PC 1101 provided that counties and their associated municipalities were to develop countywide growth plans. These plans established Urban Growth Boundaries (UGBs) for municipalities. Collierville calls the unincorporated land within its UGB the "Collierville Reserve Area". Properties within the Collierville Reserve Area are eligible for annexation.

The Planning Commission (PC) will review the annexation request and make a recommendation to the Board of Mayor and Aldermen (BMA) on any annexation ordinances and plans of service resulting from the request. The PC and the BMA, in their deliberation, may consider a variety of factors, including, but not limited to, the property's location in relationship to the Collierville Reserve Area, adequacy of existing or planned public infrastructure (i.e. transportation and utilities) for the proposed zoning classification, and effect upon adjoining property owners, and the general public good and welfare.

How does Collierville typically annex properties? Tennessee Code Annotated (TCA) 6-51-104(c) allows cities to annex property by resolution (adopted by the BMA in one reading after a PC recommendation) if the property owners consent to the annexation. Otherwise, a referendum would be required.

What are the benefits of annexation? State law requires all annexations to include a Plan of Services (POS). The POS outlines those services and/or amenities that will be made available to the land being annexed and the timeframe within which services and/or amenities will be provided. The nine major benefits of being annexed into Collierville include the following basic services listed in the POS:

- Municipal Schools;
- Police Coverage;
- Fire and Emergency Response;
- Trash Collection and Curbside Recycling;
- Library Services;
- Animal Services;
- Street Maintenance;
- Water and Sewer; and
- Management of stormwater drainage system/drainage ditches.

Other services, such as street lighting, would be provided over time as it becomes cost effective. Building and Code inspection services will be provided by the Town on the effective date of annexation.

Submittal Requirements for an Annexation and Plan of Services

Public Review Phase:

- ❑ Cover Letter – Two (2) Copies (see instructions on Page 2 for required content)
- ❑ Review Fee: $2,000 (one fee applied per annexation resolution number)(includes initial zoning of property)(multiple property owners typically split this fee if requesting annexation at the same time)
- ❑ Any Supplemental Exhibits – Two (2) Copies
- ❑ Other Information that was specifically requested at the Preapplication Conference (recent survey, photographs of the site, etc.)

Post-Approval Phase: Varies based on the specific request. Consult the notes in the Preapplication Conference and the "Next Steps" in the PC and BMA Staff Reports. For some annexations, no further action is needed by the applicant. For others, subdivision and/or site plan applications are required.

Grounds for a Zoning Map Amendment:

1. The amendment is in agreement with the Comprehensive Plan and Land Use Plan for the Town (subject to Item 4 below);
2. It has been determined that the legal purposes for which zoning exists are not contravened;
3. The proposed amendment shall be consistent with the intent and purposes of this Ordinance;
4. If not in conformance with the adopted Comprehensive Plan and Land Use Plan, the proposed amendment shall be necessary because of substantially changed or changing conditions in the area and districts affected, or in the Town generally;
5. It has been determined that there will not be a material adverse effect upon adjoining property owners unless such adverse effect can be justified by the overwhelming public good and welfare;
6. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public;
7. It has been determined that public infrastructure (i.e. transportation and utilities) are adequate to serve the full range of permitted and conditional uses of the proposed zoning classification.

ZONING: When a property is annexed it must also be zoned. This is done by ordinance. Such a zoning is a formal request to change the official zoning map for the Town of Collierville. Zonings require the approval of the BMA based on a recommendation from the PC. The PC and BMA will make their decision based on how the request addresses the

Grounds for a Zoning Map Amendment (see Table on Page 1). Zonings should generally be consistent with the Town's Land Use Plan, which is formally known as the Collierville 2040 Plan, and includes Small Area Plans for certain parts of Town (Downtown Collierville, I-269 area, etc.). If you do not request a specific zoning district, the Planning Division will develop a Collierville zoning designation that best addresses your situation while keeping in mind the recommendations of the Collierville 2040 Plan. If the annexation is related to a new development, such as a residential or commercial subdivision or Planned Development, use the separate Rezoning Request checklist.

PRE-APPLICATION CONFERENCES (OPTIONAL): As a service to the prospective applicant/property owner, staff offers the opportunity for a Pre-application Conference with key staff. Pre-application Conferences are intended to be a "one-stop shop" for potential applicants to meet with all departments involved in the development process at the same meeting. They can prove to be very beneficial to both the applicant and staff, as the officials responsible directly for the review (Planning, Engineering, Codes, Fire, Public Services, Police, and Parks & Recreation, etc.) can be in attendance if requested. The primary purpose of the meeting is for Staff to explain the applicable development processes, permits, and fees pertinent to the project prior to applicants submitting a formal rezoning application. These meetings also provide an opportunity for the developer to discuss his/her proposal with Town officials and get their input. Applicable rules and regulations will be discussed as they relate to the proposal, but the Pre-application Conference does not constitute an application nor are any preliminary staff comments binding. In addition to notes from the meeting taken by the Staff, other relevant information will be made available to the applicant at the end of the meeting (applications, checklists, forms, latest fee schedule, submittal calendar, etc.). Formal notes are taken during the meeting by staff and emailed to the potential applicant after the meeting for a record of what was discussed. Pre-application Conferences are typically scheduled every Tuesday afternoon from 2:00 pm to 5:00 pm at the Development Department located at Town Hall. Each meeting is usually an hour long. A Pre-application Conference can be scheduled by contacting the Planning Division at 901-457-2360.

COVER LETTER: At a minimum, a cover letter for an annexation and related zoning request should include the following:

- ❑ Parcel ID Number;
- ❑ Size of subject property; and
- ❑ Current property owner name(s) and signature(s).

Property owners are encouraged to explain in the letter how the property is currently being used, such as residential or nonresidential, the number and types of dwelling units, any nonresidential buildings and their size, and whether horses or livestock (cows, pigs, goats, etc.) are kept on the property. Property owners may also request that a certain zoning district be used to zone the property upon annexation. The BMA, based on a recommendation from the PC, will determine the zoning upon annexation.

SUPPLEMENTAL EXHIBITS: Any supplemental exhibits, such as future conceptual plans for the development of the property, provided to the Town are not binding if the annexation and rezoning is approved. Separate applications (site plans, subdivision plats, building permits, etc.) would be required to authorize construction and the subdivision of land. Supplemental exhibits can be helpful to the staff, PC, BMA, and public in understanding the applicant's reasons for requesting the annexation and zoning. Feedback received during the annexation and zoning process on such exhibits could prove helpful to the applicant for the next stages of development.

PUBLIC NOTICE: The Town of Collierville will mail postcard notices in advance of the PC and BMA meeting(s). Address labels will be furnished by the Town. The Town will also publish notices of the public meetings in a local newspaper and on the Town's website. The applicant is not responsible for public notices.

Online Permit & Application Center: For your convenience, the Development Department is providing a new online solution for Planning-related permit/development applications, fee payment, and plan submission. Before you apply online your first step will be to create a customer profile and add employees or consultants that need to do business on your behalf. This solution will allow you to upload PDF versions of the plans and documents, track the status of the permit/application, and much more! If you pay fees online there will be a 4% convenience fee. Otherwise, you can mail a check to Town Hall noting the case number and project. Instructions will be provided for submitting paper-versions of your application as well when you apply online.

Repeat customers will need an access code from the Planning Division (planning@colliervilletn.gov or 901-457-2300) to set up a new account. Go to the following link to get started: https://twn-collierville-tn.smartgovcommunity.com/Public/Home?_conv=1

Please direct questions about submitting Planning-related applications to the Online Permit & Application Center to planning@colliervilletn.gov or 901-457-2300.

Online Permit & Application Center