



Town of Walden

1836 Taft Highway, Walden TN 37377

Planning Commission Application

Included in this application:

1. Application
2. Fee Schedule
3. Zoning Ordinance Article 7 Administration and Enforcement
4. Zoning Ordinance Article 8 Special Permits
5. Zoning Ordinance Table of Uses



Town of Walden

PLANNING COMMISSION

Remit application and fee to:

Town of Walden
1836 Taft Highway
Walden, Tennessee 37377

APPLICATION FOR:

☐ Zoning Change	☐ Subdivision of Property
☐ Right of Way Closure	☐ Preliminary Plat
☐ Special Use Permit	☐ Final Plat

APPLICANT INFORMATION

Name	
Name of Business (if applicable)	
Address	
Email Address	Phone Number

PROPERTY OWNER INFORMATION

(If different from applicant)

Name	
Address	
Email Address	Phone Number

PROPERTY INFORMATION

Address		
Parcel Number	Acreage	
Current Zoning	Current Use	
Proposed Use		
Proposed Zoning (if applicable)		
FOR SUBDIVISION PLATS		
No. of Lots	Surveyor Name	Surveyor Contact Information



Town of Walden

Planning Commission

REQUIRED ATTACHMENTS

- **Zoning Change:** Site plan, property tax map, and either a survey or legal description of the property proposed for rezoning.
- **Change to Zoning Ordinance:** Draft of proposed changes.
- **Special Use Permit:** Site plan and additional information as required by Article 8 of the Walden Zoning Ordinance.
- **Subdivision:** Preliminary or final plat.

ACKNOWLEDGEMENT

It is understood that approval of the proposed development is conditioned upon full compliance with all applicable regulations and ordinances of the Town of Walden and conditions imposed by the applicable Boards of the Town.

All applications submitted by someone other than the property owner must submit a signed letter from the property owner authorizing the application.

Signature of Applicant

Date

BELOW FOR OFFICE USE ONLY

Saff Recommendation:

Planning Commission:

Date

Action

Legislative:

Date

Action

Ordinance

Total Fees	Date Paid	Check No	Staff



Town of Walden
Planning Commission

PLANNING COMMISSION
SCHEDULE OF FEES

Fee Is Due When Application Is Submitted	
SUBDIVISION	
Preliminary Plat	\$200
Final Plat	\$100
Staff Approved Plat	\$100
Subdivision Variances	\$100
ALL ZONING	
Up to 5 Acres	\$300
5.1 to 20 Acres	\$650
20 Acres or More	\$775
SPECIAL PERMIT	
Town Center Residential	\$500
Town Center Mixed Use	\$700
All Other Special Permits	\$250
OTHER FEES	
Lifting or Amending Conditions on a Previous Case	\$150
Municipal St. Closure and/or Abandonment	\$350
Right of Way Closure and/or Abandonment	\$350

Article 7. Administration and Enforcement

7.01 Permits Required. A building permit shall be obtained from the Director of Building and Zoning of Hamilton County before starting or proceeding with the erection, alteration, or moving of any building or structure, or changing the use of any building, structure, or land, except that no building permit shall be required for (i) agricultural uses and accessory farm buildings, except where electricity and/or plumbing shall be installed a permit is required, (ii) for home gardening or similar uses in any zone, (iii) the remodeling or alteration of residential dwelling units where the cost of such remodeling is \$1,500.00 or less and does not involve plumbing, structural or electrical work or (iv) the construction of accessory buildings to dwelling units which otherwise conform to the requirements of this Ordinance if the cost of construction, remodeling, or alteration is \$1,500.00 or less and does not involve plumbing, structural or electrical work .

7.02 Fees for Permits. All permits and penalties are established by the Board of Mayor and Aldermen and are subject to change by resolution of said board.

7.03 Building Permits and Inspection. The Director of Building and Zoning of Hamilton County shall, among other things, administer the provisions of this Ordinance pertaining to the issuance or withholding of permits for the erection, alteration, and use of buildings, structures, and land as prescribed in this Ordinance. The permit office shall issue or withhold any permit, in any form, as directed by the Board of Mayor and Aldermen; failure to obtain a building permit shall be a misdemeanor with the penalties as provided by this Ordinance. The permit office shall not be liable for legal action for issuance of any such permit by the direction of the Board of Mayor and Aldermen.

7.04 Enforcement. It shall be the duty of all the officers otherwise charged with the enforcement of the law to enforce this Ordinance and all the provisions of the same.

7.05 Penalties for Violation. Any person, firm, or corporation whether as principal, agent, employee, or otherwise violating any provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$25.00 or not more than \$500.00 per violation. Such person, firm, or corporation shall be deemed guilty of a separate offense for each day during which any violation of this Ordinance is committed, continued, or permitted by such person, firm, or corporation, and shall be punishable as herein provided.

7.06 Remedies for Removing Violations.

- (a) It shall be unlawful to erect, construct, reconstruct, alter, maintain, or use any building or structure or to use any land in violation of any provision of this Ordinance or any amendment thereof enacted or adopted by the Board of Mayor and Aldermen.
- (b) Any person, firm, or corporation violating this regulation shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.
- (c) Each and every day during which such illegal erection, construction, reconstruction, alteration, maintenance, or use continues shall be deemed a separate offense.
- (d) In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, maintained, or used or any land is or is proposed to be used in violation of this Ordinance or of any regulation, or provision enacted or adopted by the Board of Mayor and Aldermen under the authority granted by this Ordinance, the Town of Walden, acting by and through the board, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding, or proceedings to prevent, enjoin, abate, or remove such unlawful erection, construction, reconstruction, alteration, maintenance, or use in addition to, and not in lieu of, any other right or remedy provided by this or any other Ordinance of the Town of Walden or any federal or state statute, rule, regulation, or law, whether at common law or in equity.

Article 8. Special Permits

7.01 Applications for a Special Permit:

Persons desiring consideration for a Special Permit shall apply to the Walden Planning Commission through the Town of Walden staff and shall supply information for such permit. Upon recommendation by the Walden Planning Commission, the Special Permit request shall be heard by the Board of Mayor and Aldermen. The Board shall determine that the proposed use will not be in conflict with the adopted plans of the Town of Walden and shall generally consider (i) the effect the proposed use will have on adjacent property; (ii) the public health, safety, morals and general welfare; and (iii) the need for such development. In addition to the criteria set forth above, the Board shall also consider the following with regard to the specific use. (Ord. 2024-364, 6/11/24)

A notice of the public hearings held by the Board shall be sent by regular mail to each of the property owners within a minimum of 300 feet of each property in question before the Board. Said notice will be mailed at least seven (7) days prior the public hearing by the Board. The most updated tax rolls for Hamilton County will be the source of ownership information for Board purposes. A notice of the public hearings held by the Board shall be published in a daily paper at least fifteen (15) days before the hearing. (Ord. # 2005-248, 8/9/05)

(a) **Bed and Breakfasts in A-1, E-1 and R-1**

The Board of Mayor and Aldermen may grant a Special Permit provided that the applicant furnishes satisfactory proof of convenience, necessity, and absences of harmful effect on surrounding property. It is a requirement that the applicant for a Special Permit furnish a site plan with the application that depicts the proposed use of the property to include but not limited to site access, building configuration, building setback, proposed landscaping and drainage and a parking plan together with other information as determined by the Board of Mayor and Aldermen.

(b) **Cemeteries**

The Board of Mayor and Aldermen may grant a Special Permit provided that the applicant furnishes satisfactory proof of convenience, necessity, and absences of harmful effect on surrounding property. It is a requirement that the applicant for a Special Permit furnish a site plan with the application that depicts the proposed use of the property to include but not limited to site access, building configuration, building setback, proposed landscaping and drainage and a parking plan together with other information as determined by the Board of Mayor and Aldermen.

(c) **Day Care Centers**

A Special Permit may be granted for a day care center in zones where a permit is required by the Board of Mayor and Aldermen, subject to:

- (1) A site plan being submitted showing the location of the building, playground area, driveways, parking and loading areas, and other materials, if requested;
- (2) The review and approval by an engineer designated by Walden of the points of ingress and egress, internal circulation, loading areas and on-site parking;
- (3) The installation of a secured playground; and
- (4) The residential character of the neighborhood is not diminished.

Issuance of a Special Use Permit by the Board of Mayor and Aldermen shall not be deemed to constitute evidence of or compliance with any federal or state requirements applicable to such day care center.

(d) **Manufactured homes constructed as a single, self-contained unit and mounted on a**

single chassis.

It is a requirement that the applicant for a Special Permit furnish a site plan with the application that depicts the proposed use of the property to include but not limited to site access, building configuration, and building setback together with other information as determined by the Board of Mayor and Aldermen.

- (e) Commercial radio, television, telephone, and microwave towers in the A-1 Agricultural Zone and the C-1 Commercial Zone provided that the requirements in Title 20, Chapter 4 of the Walden Municipal Code (Ordinance No. 99-208 and amendments thereto) are met.
- (f) Adult-oriented Establishments

For adult-oriented establishments in the LM-1 Light Manufacturing Zone, provided that the use meets the following definitions, conditions, restrictions and other provisions:

(1) Definitions

For the purpose of these regulations, certain terms and words shall be defined as follows:

- **Adult:** Any person who is eighteen (18) years of age or older.
- **Adult-oriented Establishments:** Sexually explicit establishments which cater to an exclusively adult clientele and including, but not limited to: adult bookstores, adult motion picture theaters, cabarets, massage parlors and other enterprises which regularly feature materials, acts or displays involving complete nudity or exposure of the "Specified Anatomical Areas" herein below defined and/or sexual excitement or enticement.
- **Adult Book Store:** An establishment having as a substantial or significant portion of its stock in trade, books, magazines, motion pictures, periodicals, and other materials which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Anatomical Areas" (as defined below) or an establishment with a segment or section devoted to the sale or display of such material.
- **Adult Motion Picture Theater:** Any public place, whether open or enclosed, used for presenting material distinguished or characterized an emphasis on matter depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Area" (as defined below) for observation by patrons therein.
- **Cabaret:** Any restaurant, bar, dance hall, nightclub or other such place which features exotic dancers, go-go dancers, strippers, male or female impersonators or similar entertainers.
- **Massage Parlors:** Any premises, public place, place of business or membership club where there is conducted the business or activity of furnishing, providing or giving for a fee or any other form of consideration a massage, a bath, body painting or similar massage services or procedure. This definition shall not be construed to include a hospital, nursing home, medical clinic or the office of a duly licensed physical surgeon, physical therapist, chiropractor or osteopath. Nor shall this definition be construed to include a barbershop or beauty salon operated by a duly licensed barber or cosmetologist, so long as any massage administered therein is limited to the head and neck.
- **Massage:** Shall mean the administering by any person by any method of exerting or applying pressure, friction, moisture, heat or cold to the human

body, and/or the rubbing, stroking, kneading, pounding, tapping, or otherwise manipulating a part or the whole of the human body or the muscles or joints thereof, by any physical or mechanical means. Massage shall also mean the giving, receiving, or administering of a bath to any person or the application of oil, lotion, body paint, or other such embrocating to any person.

- **Minor:** Any person less than eighteen (18) years of age.
- **Public place:** Shall mean any place to which the public or a substantial group of persons has access and congregates, regardless of whether admission is charged thereto, and includes, but is not limited to: businesses open to the public; highways; transportation facilities; schools; places of amusement; parks; playgrounds; hotels; theaters; auditoriums; restaurants; nightclubs; cocktail lounges; and burlesque houses.
- **School:** An academic learning center, whether public or private, from the level of nursery through twelfth grade.
- **Specified Sexual Activities**
 - (a) Human genitals in a state of actual or simulated sexual stimulation or arousal;
 - (b) Acts of actual or simulated human masturbation, sexual intercourse or sodomy; and
 - (c) Actual or simulated fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.
- **Specified Anatomical Areas**
 - (d) Less than completely and opaquely covered:
 - (i) Human genitals, pubic region;
 - (ii) Buttock; and
 - (iii) Female breast below a point immediately above the top of the areola
 - (e) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(2) Location Restrictions

Adult-oriented establishments, as defined above, are absolutely and expressly prohibited from all parts of the Town of Walden, except those portions zoned LM-1 Light Manufacturing District. Furthermore, the location and operation of adult-oriented establishments within the above specified zones will not be permitted unless a Special Permit is obtained from the Town of Walden Board of Mayor and Aldermen, subject to the following additional restriction.

(3) Special Permit Restrictions for Adult-oriented Establishments

In no case shall an adult-oriented establishment be permitted to locate within 500 feet of any boundary of an A-1 Agricultural District, R-1 Residential District, E-1 Estate District, C-1 General Commercial District, VC-1 Village Center Zone or within 500 feet of a residential use within any zone, nor shall any proposed adult-oriented establishment be permitted to locate within 500 feet from the nearest property line of a site which is used for the purpose of a recreational park, place of worship, school, day care center, or other adult-oriented establishment. Measurement shall be made from the nearest recorded property line of the adult-oriented establishment to the nearest property line or boundary of the above-mentioned uses.

(4) Evaluation

For the purpose of enforcing the regulations of this action, it shall be the responsibility of the Planning Commission to evaluate and advise the Town of Walden Board of Mayor and Aldermen regarding compliance of a proposed adult-oriented establishment with the special restrictions set forth herein. It shall be the responsibility of the applicant to supply site plans, maps, surveys or other such special information as might reasonably be required and requested by the Planning Commission staff for use in making a thorough evaluation of the proposal.

(5) Revocation and Hearing

Expansion, relocation, substantial misrepresentation, violation of any of the terms of this Ordinance or change in dominant sales items or services offered to the public or failure to operate the establishment in conformity with any terms and specifications set forth in the conditions attached to the Special Permit after notice and hearing. Notice of the hearing before the Board of Mayor and Aldermen for revocation of the permit shall be given in writing, setting forth the grounds of the complaint and the time and place of hearing. Such notice shall be mailed by certified mail to applicant's last known address at least five (5) days prior to the date set for hearing.

(6) Adult-Oriented Establishments - Unlawful Acts

It shall be unlawful for any person to own, manage or operate an adult-oriented establishment in any zone other than the LM-1 Light Manufacturing District or to own, manage, or operate such an establishment without obtaining a Special Permit as hereinabove required.

(7) Enforcement

The provisions set forth in Article VII of this Ordinance, Section 7.03, 7.04, 7.05 are hereby adopted and become a part thereof as though specifically copied herein.

(g) Assisted Living Facilities in the C-1 General Commercial Zone

(See T.C.A. §13-24-104 for the exemption of residential homes operated on a non-commercial basis.)

Application to the board shall be accompanied by a site plan, drawn to scale, showing the following information:

(1) Size and location, and use of all buildings and structures;

(2) Parking and loading facilities;

(3) Points of ingress and egress;

(4) Surrounding land uses; and

(5) A list showing:

a) Number of residents;

b) Number of employees, visitors and/or volunteers who may reasonably be expected at any one time;

c) State licensure department (if applicable); and

d) Type of license, requirements of license and nature of operation.

The board shall find that such uses are appropriate to the zone in which they are proposed to be located; that the proposed use will not conflict with the developed character of the area; that an engineer designated by the Town of Walden has approved all plans for the points of ingress and egress, parking and loading facilities; and that the proposed use will not be in conflict with the adopted plans of the community. Prior to operating any of the above uses, both the Special Permit and the state license (where applicable) must be obtained.

(h) Assisted Living Facilities in the A-1, E-1 and R-1 Zone

It is a requirement that the applicant for a Special Permit furnish a site plan with the application that depicts the proposed use of the property to include but not limited to site access, building configuration, building setback, proposed landscaping and drainage and a parking plan together with other information as determined by the Board of Mayor and Aldermen.

(See T.C.A. §13-24-104 for the exemption of residential homes operated on a non-commercial basis.)

(i) Public Utilities

A Special Permit may be granted for public utility uses, structures, and accessory facilities, including transmission lines, substations, railroad yards, lines and stations, bus loading or waiting platforms or buildings, dams, temporary work camps, or other governmental agency uses and buildings, temporary contractors camps, and buildings on public works projects and other similar public service uses and builds, radio and television broadcasting stations, and studios, on condition that location of building plans be approved by the Board of Mayor and Aldermen. It is a requirement that the applicant for a Special Permit furnish a site plan with the application that depicts the proposed use of the property to include but not limited to site access, building configuration, building setback, proposed landscaping and drainage and a parking plan together with other information as determined by the Board of Mayor and Aldermen.

(j) Townhouses in R-1

A Special Permit may be granted for townhouses in the R-1 Zone by the Board of Mayor and Aldermen. The intent of the regulations with this Special Permit is to limit development of townhouses in the R-1 Zone to parcels of land bordering Taft Highway. There shall be no access provided to the townhouse development off any street other than Taft Highway. It is the intent of this section to provide regulations for the development of townhouses (also called rowhouses and attached homes), single-family zero lotline dwellings (also called patio homes), and/or mixed use moderate density residential development in a manner which provides for efficient use of land, and is compatible with surrounding development. It is further intended that these regulations provide for standards which will foster compatibility between townhouse development and lower density, standard single-family uses. It is also intended that townhouse development be sold in "fee simple" to encourage owner occupancy. For purposes of the townhouse special permit, the term "exterior street" refers to any public, dedicated and accepted street existing prior to the townhouse development, the term "interior street" refers to any street built as part of the townhouse development, both sides of which are contained in the townhouse special permit area.

- (1) Height, Area and Building Regulations:
- a) Maximum density shall not exceed two (2) units per acre for attached or detached dwelling units.
 - b) Minimum lot width for zero lot line or single-family detached units shall be thirty-five (35) feet. Minimum lot width for townhouse units shall be twenty-four (24) feet.
 - c) All buildings except detached single-family houses must be set back at least forty (40) feet from any exterior dedicated public street. The setback may be reduced to twenty-five (25) feet if the landscaping requirement in 8.01K(2) is provided along the exterior street(s). Detached single-family houses must be set back at least 25 feet from any exterior dedicated public street.
 - d) No building shall be located less than twenty-five (25) feet from any boundary of the townhouse special permit boundary.
 - e) Front setback from any interior street shall be fifteen (15) feet or ten (10) feet if rear parking and loading is provided.
 - f) Side yard setback for zero lot line units must be from zero (0) to one and one-half (1 1/2) feet, or a minimum of ten (10) feet from the adjacent property line if buildings are to be separated over a tenth of a foot. The eave overhang is the only permitted element of the building structure allowed in the one and one-half (1 1/2) feet setback. The opposite side yard must be at least ten (10) feet and must be kept perpetually free of permanent obstructions (such as accessory buildings).
 - g) For zero lot line units, no windows, doors, or other openings are permitted on the zero lot line side of the structure.
 - h) Detached single-family houses and two unit townhouses shall be separated by not less than forty (40) feet, except ten (10) feet from side to side.
 - i) Three or more unit town homes shall be separated by not less than forty (40) feet except fifteen (15) feet end to end or end to the side of other permitted housing types.
 - j) Maximum height of buildings shall be thirty-five (35) feet.
 - k) Sidewalks, if provided, are to be built according to jurisdictional standards.
 - l) All property lines abutting R-1 zoned property must provide a ten (10) feet deep (as measured towards the interior of the property) landscape yard along the shared property line planted with evergreen trees spaced a maximum of ten (10) feet on-center or two (2) staggered rows (spaced a maximum of seven feet apart) of shrubs spaced a maximum of eight (8) feet on-center.
 - m) Townhouse development which fronts on exterior public streets must

have front yards which are at least sixty-five (65) percentage grass/landscaping with any driveway and/or sidewalk to be composed of concrete or pavers. Landscaping along all property lines fronting exterior streets must be provided subject to review and approval of a site-specific landscape plan.

- n) A site plan (1 inch = 200 feet) shall be submitted with the special permit application and shall show the following:
 - 1) Special permit boundary.
 - 2) Site access and preliminary street layout.
 - 3) Type of off-street parking.
 - 4) Preliminary lot design.
 - 5) Range of lot sizes.
 - 6) Number of lots.
 - 7) Acreage.
 - 8) Open space/recreation areas if provided.
 - 9) All buffer, landscape and screen areas including site specific landscape design.

(2) Off-Street Parking Regulations

- a) Off-street parking shall be provided on the same lot or on a lot adjacent to the structure it serves at a rate of two (2) spaces per dwelling unit. Units with four bedrooms or more shall be required to have three (3) parking spaces.
- b) There shall be one (1) space for every three (3) seats in the main auditorium of churches and other public buildings.

(3) Provision for Special Access and Utility Easements

Due to the special nature of these housing types, the Planning Commission and/or the Board of Mayor and Aldermen may insist on special access easements and other arrangements to provide for adequate servicing and maintenance of the structures even though such easements and provisions might not normally be specified in the Walden Subdivision Ordinance. These easements and special covenants are to be shown on the subdivision plat at the time of its recording. In addition, deed restrictions or other provisions may be required to assure that any remodeling or reconstruction of destroyed units will be accomplished in a fashion which will be compatible with the remaining units.

- (k) Warehouses (mini or self-storage) in the LM-1 Light Manufacturing Zone.

It is a requirement that the applicant for a Special Permit furnish a site plan with the application that depicts the proposed use of the property to include but not limited to site access, building configuration, building setback, proposed landscaping and

drainage and a parking plan together with other information as determined by the Board of Mayor and Aldermen.

- (1) There shall be no outdoor storage of any kind.
- (2) The perimeter of the site shall have a ten (10) feet deep (as measure towards the interior of the property) landscape yard planted and maintained with:
 - a) Evergreen trees (see 2)a. below) spaced a maximum of ten (10) feet on- center and two (2) staggered rows (spaced a maximum of seven (7) feet apart) of shrubs (see 3)a. below) placed a maximum of eight (8) feet on- center.
 - b) The applicant shall meet the installation and planting size requirements specified below:
 - 1) All landscaping material shall be installed in a professional manner, and according to accepted planting procedures specified in the Arboricultural Specifications Manual available from the Regional Planning Agency.
 - 2) Screening Trees: All screening trees shall be installed at a minimum height of five (5) to six (6) feet and have a minimum expected mature spread of eight (8) feet.

a. Recommended Species:

<u>Common Name</u>	<u>Scientific</u>
<u>Name</u>	
Atlas Cedar	Cedrus atlantica
Deodar Cedar	Cedrus deodara Eastern
Red Cedar	Juniperus virginiana
Leyland Cypress	Cupressocyparis leylandii
Carolina Hemlock	Tsuga caroliniana
Canadian Hemlock	Tsuga canadensis
American Holly	Ilex opaca
Foster Holly	Ilex attenuata 'Fosteri'
Southern Magnolia	Magnolia grandiflora
Loblolly Pine	Pinus taeda
Virginia Pine	Pinus virginiana
White Pine	Pinus strobus

- 3) Screening Shrubs: All screening shrubs shall be installed at a minimum size of three (3) gallons and have an expected maturity height of at least eight (8) feet and a mature spread of at least five (5) feet.

a. Recommended Species

<u>Common Name</u>	<u>Scientific</u>
<u>Name</u>	

Burford Holly	Ilex cornuta 'Burfordii'
English Holly	Ilex aquifolium
Nellie R. Stevens Holly	Ilex cornuta 'Nellie Stevens'
Cherry Laurel	Prunus caroliniana
English Laurel	Prunus laurocerasus
Fragrant Olive	Eleagnus pungens
Leatherleaf Viburnum	Viburnum rhytidophyllum
Wax Myrtle	Myrica cerifera

- 4) Prohibited Plants: The following plants are prohibited from being used to meet these requirements due to problems with hardiness, maintenance, and nuisance:

Kudzu Vine	Garlic Mustard
Purple Loosestrife	Paulownia
Japanese Honeysuckle	Multiflora Rose
Shrub Honeysuckle	Siberian Elm
Autumn Olive	Silver Poplar
Common Privet	Mimosa
Tree of Heaven	Mulberry
Lespedeza	Silver Maple

- (l) Plumbing and electrical shops, radio and TV shops, appliance repair shops, and similar workshop type uses provided that not more than three (3) repair persons are employed within in the C-1 General Commercial Zone

The Board of Mayor and Aldermen may grant a Special Permit provided that the applicant furnishes satisfactory proof of convenience, necessity, and absences of harmful effect on surrounding property. It is a requirement that the applicant for a Special Permit furnish a site plan with the application that depicts the proposed use of the property to include but not limited to site access, building configuration, building setback, proposed landscaping and drainage and a parking plan together with other information as determined by the Board of Mayor and Aldermen.

- (m) Liquor stores in the VC-1 Village Center Zone and C-1 General Commercial Zone

The Board of Mayor and Aldermen may grant a Special Permit as authorized by Section 57-3-208 of the Tennessee Code Annotated and Section 1, Title 8, of the Walden Municipal Code to allow a business to conduct the sale of Liquor. (Ord. 2004-241 1/11/05)

- (n) Buildings or Structures with a gross floor area of all floors combined greater than 5,000 square feet in the C-1 General Commercial Zone or TC-MU Town Center Mixed Use Zone. Structures in the TC-MU Zone may not exceed 15,000 square feet of gross floor area of all floors combined. (Ord. 2024-364, 6/11/24)

The Board of Mayor and Aldermen may grant a Special Permit provided that the applicant furnishes satisfactory proof of convenience, necessity, absence of harmful effect on surrounding property, and consistency with the adopted Town of Walden Plan. It is a requirement that the applicant for a Special Permit furnish the following with their application for a Special Permit:

- Survey of existing conditions on the property showing the following:
5-foot elevation contours; natural drainage areas, streams, and

wetlands; existing structures; existing rights-of-way and easements of record; location of adjacent utilities; existing paved areas or roads; live specimen trees exceeding 12 inches in diameter at breast height; any features of the land that may impact development.

- Conceptual site plan showing the following:
 - Location, size, and dimensions of all existing and proposed building(s), including total square footage of each structure (all floors)
 - Property lines and building setback lines
 - Landscaped buffers when required by the Zoning Ordinance and/or Design Review Standards
 - Proposed streets, sidewalks, and right-of-ways
 - Proposed open space areas
 - Approximate location of any proposed public amenities such as parks, squares or greenways
 - Approximate parking area and calculations
 - Vehicular and pedestrian points of ingress and egress
 - Proposed septic field line area or wastewater infrastructure
 - Conceptual stormwater plan
- A narrative impact statement of the project providing details on the following:
 - Traffic impact
 - Environmental impact
 - Economic viability of proposed commercial uses
 - Geotechnical impact
- Supporting documentation for the narrative impact statement

The Board of Mayor and Aldermen may grant a Special Permit from the maximum footprint size based on one or more of the following criteria:

- (1) The applicant presents an alternative that complies with the stated intent, goals, and general standards of the zone as defined in the Walden Zoning Ordinance and/or the Town of Walden Plan.
- (2) The proposed gross floor area is consistent with the adopted plans and principles for the area.
- (3) The proposed gross floor area is compatible with the character of the area

where it is proposed and with the size and location of the buildings in the vicinity.

The Board of Mayor and Aldermen may condition approval of the Special Permit as allowed in this section on one or more requirements reasonably necessary to achieve the intent, goals, and general standards of the Zoning Ordinance and Town of Walden Plan. If issued, the special permit shall be issued to the applicant and is non-transferrable until rights are vested under Tennessee state law. The permit shall allow only the specific plans presented to the Board of Mayor and Aldermen. Once rights are vested, significant alterations to the plans or a change in ownership shall require a new special permit to be applied for. A significant alteration to the plans shall include:

- (a) More than 5% change in land area being added or removed from the Site and Building Plan;
- (b) Change to the number of dwelling units;
- (c) Change in occupancy classification
- (d) An increase of more than 5% in the building area of any single nonresidential building, or an increase of more than 10% in the total building area of all non-residential buildings in the development

8.02 Granting Permits. In granting the Special Permit, the Board of Mayor and Aldermen may, in addition to granting uses detailed in this Ordinance, allow exceptions in minimum site area (lot) requirements, and off-street parking requirements.

No building permits shall be issued until the Board of Mayor and Aldermen has approved the Special Use Permit.

No Special Permit shall be approved by the Board of Mayor and Aldermen unless it is first submitted to and approved by the Chattanooga-Hamilton County Regional Planning Commission or, if disapproved, shall receive a favorable vote of a majority of the entire membership of the Board of Mayor and Aldermen.

A Special Permit may be issued on condition that the location and method of operation be approved by the Board of Mayor and Aldermen, however, in all instances, the proposed facility must conform with all applicable State and Federal requirements or regulations.

8.03 Expiration. Any Special Permit shall expire twelve (12) months from and after its issuance if development as allowed by the Special Permit has not occurred.

Walden Zoning Ordinance Table of Uses

P = Permitted **S= Special Permit** **X = Listed as Prohibited**

Blank = Not listed / Prohibited

Residential Uses	A-1	E-1	R-1	C-1	TC-MU	TC-R	LM-1
Accessory dwelling units						P	
Live/Work Townhouses					P		
Manufactured homes constructed as a single, self-contained unit and mounted on a single chassis	S	S					
Multi-family dwellings						P	
Multi-family dwellings on upper floors of non-residential or mixed townhouses					P	P	
Single Family Dwelling	P	P	P	P		P	
Agricultural Uses	A-1	E-1	R-1	C-1	TC-MU	TC-R	LM-1
Agriculture, nurseries, greenhouses and truck gardens	S	P					
Barns	P	P					
Farm stand under 200 square feet	S	P					
greenhouses				P			
Kennels	P						
Livestock and fowl	P						
Noncommercial livestock/fowl		S					
Noncommercial stables		S					
Stables	P						
Government/Institutional Uses	A-1	E-1	R-1	C-1	TC-MU	TC-R	LM-1
Assisted living facilities				S	P		
Assisted Living- No more than eight (8) residents plus two (2) caregivers	S	S	S			S	
Cemeteries	S	S	S	S			
Churches	P	P	P	P	P	P	
Day care centers	S	S	S	P		S	
Day care homes		P	P			P	
Libraries	P	P					
Municipal Buildings and Structures	P	P		P	P		
Museums	P	P					
Public Utilities	S	S	S	S	S	S	S
Schools	P	P	P	P		P	
Commercial Uses	A-1	E-1	R-1	C-1	TC-MU	TC-R	LM-1
Art galleries and studios				P	P		
Audio recording shops				P			

Walden Zoning Ordinance Table of Uses

Auto repair					X	X	
Auto sales					X	X	
Bakeries				P	P		P
Bakeries (with fewer than five (5) persons engaged in the operation and conduct of said business);	S	S					
Beauty shops and barber shops				P	P		
Bed and Breakfast	S	S	S	P		S	
Book stores				P	P		
Clothing shops				P	P		
Commercial banks and savings banks				P	P		
Convenience stores				P			
Craft shops				P	P		
Decorator shops				P	P		
Dry cleaning shops (pick-up and drop-off only)				P	P		
Fabric stores				P	P		
Florist shops				P	P		
Furniture shops				P			
Gasoline service stations					X	X	
Gift shops				P	P		
Commercial (Continued)							
Grocery Stores					P		
Hardware stores				P	P		
Health, wellness, and fitness centers					P		
Home Occupations	P	P	P	P	P		
Hotel / Motel				S	S		
Inns				P			
Jewelry stores				P	P		
Lawn and garden shops				P	P		
Liquor Stores				S	P		
Musical instrument shops				P	P		
Nail salons					P		
Office/school supply and stationary shops				P	P		
Offices				P	P		P
Paint and wallpaper shops				P	P		
Pharmacies				P	P		
Photocopying, packaging and telecopy services				P	P		

Walden Zoning Ordinance Table of Uses

Plumbing and electrical shops, radio and TV shops, appliance repair shops, and similar workshop type uses provided that not more than three (3) repair persons are employed within				S			
Printing				P	P		P
Produce stands				P			
Restaurants and cafes				P	P		
Shoe stores				P	P		
Short-term vacation rentals				S	S		
Stores, shops or services similar in character, type and effect to permitted uses, unless otherwise controlled by law				S	S		
Theaters				P	P		
Toy stores					P		
Travel agencies				P	P		
Recreational Uses	A-1	E-1	R-1	C-1	TC-MU	TC-R	LM-1
Athletic fields	P	P					
Community swimming pools	P	P					
Country clubs	P	P					
Golf courses (excl. miniature golf and "Par 3" courses)	P	P					
Municipal parks	P	P	P	P	P	P	
Parks				P			
Playgrounds	P	P					
Recreational areas operated by membership organization	P	P					
Tennis clubs	P	P					
Industrial/Manufacturing/Other Uses	A-1	E-1	R-1	C-1	TC-MU	TC-R	LM-1
Accessory buildings commensurate with approved building subject to all applicable regulations and restrictions of this and other adopted ordinances;							S
Adult-oriented establishments							S
Commercial microwave towers	S			S	X	X	
Commercial radio towers	S			S	X	X	
Commercial telephone towers				S	X	X	
Commercial television towers	S			S	X	X	
Warehouses (Mini/self storage)							S