# Town of Walden Zoning Ordinance

Draft of Articles 1 through 6

March 26, 2026

# Article 1. Title, Purpose and Applicability

**1.01 Reference Title of Ordinance.**

This Ordinance, as the same may from time to time be hereafter amended, shall be known as the “Walden Zoning Ordinance,” and may be cited as such.

**1.02 General Purpose.**

For the public health, safety, morals, convenience, order, prosperity, and general welfare of the citizens of the Town of Walden, and in order to secure the public interest in the orderly development of the Town of Walden by promoting sustainable, long-term economic development, adequate light and air, improved traffic safety, reduced traffic congestion, environmental protection; as well as adequate water drainage, water supply, sanitation and recreational facilities through the regulation by districts and zones of the location, height, bulk, number of stories and size of buildings and other structures, the uses of buildings, structures and land for trade, industry, residences, recreation, public activities and other purposes, and in connection therewith, there is hereby adopted and established an official Development and Zoning Plan for the Town of Walden consisting of the maps and regulations described herein. In adopting this Ordinance, the Town of Walden recognizes that its natural landscapes and development patterns play an important role in defining the attractiveness, identity, livability, and therefore, the economic health of the community. Currently, the Town enjoys a rural mountain character supported by scenic overlooks, creek gorges, woodlands, and pasturelands. The character of development is predominantly residential and small in scale.

This ordinance is also designed to enhance and implement the vision established in the Town of Walden Plan (March 2022), as amended. (Ord. 2024-364, 6/11/24)

This ordinance is not intended to deny property owners the reasonable, practical, or economical use of their land, but to promote development that contributes to Walden’s scenic assets. Therefore, in order to provide for continued prosperity, health, and identity of the community in the future, the Town of Walden sets forth the following purposes for the ordinance:

A. To maintain rural character and small scale of development;
B. To protect important natural resources (creek gorges, overlooks, woodlands, steep slopes, wetlands);
C. To protect and enhance property values;
D. To provide a variety of living arrangements;
E. To encourage harmonious and integrated development patterns that are economically feasible and are in harmony with the community with the following development priorities:
    1. Outdoor gathering places;
    2. Compatible Businesses; (Ord. 2024-364, 6/11/24)
    3. Pedestrian facilities;
    4. Mixed uses;
    5. Landscaping;
F. To discourage commercial strip development; and
G. To promote high quality development that is needed and that takes into account the effect on adjacent property as well as the public health, safety, morals and general welfare of the citizens of Walden and promotes materials and design

consistent with the maintenance of Walden's character as a rural and residential community. (Ord. 2005-248, 8/9/05)

To discourage commercial strip development; and to promote high quality development that is needed and that takes into account the effect on adjacent property as well as the public health, safety, morals and general welfare of the citizens of Walden and promotes materials and design consistent with the maintenance of Walden's character as a rural and residential community. (Ord. 2005-248, 8/9/05)

### 1.03 Applicability

A. **Territorial Applicability:** The Walden Zoning Ordinance applies to all land, uses, and structures within the Town of Walden. The regulations of this Zoning Ordinance apply to private property. The regulations of this Code do not apply to the public right-of-way.

B. **General Application:** In their interpretation and application, the provisions of this Code are held to be the minimum requirements for the promotion and protection of the public health, safety, and welfare.

C. **Amplification of Regulations:** No premises shall be used and no buildings or structure shall be erected, reconstructed, structurally altered, enlarged, rebuilt, moved, or used for any purpose except in conformity with all regulations herein prescribed or which shall hereafter be adopted for the zone in which such premises, building, or structure is located.

D. **Private Restrictions:** The regulations contained herein are minimum requirements and do not affect any easements, covenants, deed restrictions, or other agreements, which impose a greater restriction than is imposed by these regulations. Where these regulations impose a greater restriction than imposed by other rules, regulations, and licenses or by easements, covenants, deed restrictions, or other private agreements, these regulations shall control.

E. **Relation to Other Laws and Regulation:** Unless otherwise specifically provided, when there is a conflict with any state, federal or other statute, ordinance or regulation, the more restrictive statue, ordinance or regulation shall prevail.

F. **References to other Codes and Laws:** Whenever a Provision of this Zoning Ordinance refers to any other part of the Town of Walden Municipal Code or any other law, the reference applies to any subsequent amendment of that municipal code provision or law.

**1.04 Conflicting Ordinances Revoked.**

Any ordinance or parts of Ordinances previously adopted by the Board of Mayor and Aldermen, which are in conflict with the provisions of this Ordinance to the extent that they are inconsistent with this Ordinance, are hereby revoked and declared null and void.

**1.05 Severability.**

Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid the same shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

# Article 2. Definitions and Rules of Measurement.

## 2.01 Construction of Language

Unless the context clearly requires otherwise, the following rules apply when interpreting this Ordinance:

### A. Tense and Number

1. Words in the present tense include the future tense.
2. Words in the singular include the plural, and vice versa.

### B. Mandatory and Permissive Terms

1. The word “shall” means the action is required.
2. The word “may” means the action is permitted but not required.

### C. Persons and Entities

The word “person” includes an individual, corporation, partnership (general or limited), limited liability company, incorporated association, or any similar legal entity.

### D. Uses and Activities

The terms “use” or “used for” also mean arranged for, designed for, intended for, maintained for, or occupied for a particular purpose.

### E. Zoning Terms

The words “zone,” “zoning district,” and “district” have the same meaning.

### F. Text Controls Over Illustrations

If there is any difference in meaning between the text of this Ordinance and any caption, illustration, summary, table, or diagram, the text shall control.

### G. References to the Ordinance

The phrases “this Ordinance,” “these regulations,” “the zoning regulations,” or any similar term refer to the Walden Zoning Ordinance, as it may be amended from time to time.

## 2.02 Specific Definitions

**NOTE:** Definition list to be completed after table of uses is updated.

## 2.03 General Abbreviations

ft is an abbreviation for “feet.”
GFA is an abbreviation for “gross floor area.”
N/A is an abbreviation for "not applicable."
sf is an abbreviation for "square feet."

**NOTE:** Abbreviations to be updated as needed.

## 2.04 Rules of Measurement

A. Building Height: Maximum building height is measured from grade plane to:

1. The mean height between eaves and ridge for gable and hip roofs.
2. The deckline for mansard roofs.
3. The midpoint of the highest pitched section of a gambrel roof.
4. The highest point of the roof for flat roofs with parapet walls of six feet in height or less. When parapet walls exceed six feet in height, the highest point of the parapet wall.

B. Grade Plane

1. A reference plane representing the average of finished ground level adjoining the building at exterior walls.
2. Where the finished ground level slopes away from exterior walls, the reference plane is established by the lowest points within the area between the building and the lot line or, when the lot line is more than six feet from the building, between the building and a point six feet from the building.

C. Gross Floor Area (GFA): The gross floor area (GFA) of a structure is the sum of the gross horizontal areas of all floors of the structure as measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings.

D. Ground Floor Elevation: Ground floor elevation is measured from top of the adjacent curb, or from the crown of the road where no curb exists, to the top of the finished ground floor.

E. Lot Area: The total area within the boundaries of a lot, excluding any street right-of-way. The lot area of a flag lot shall not include the area of the access strip or flag pole.

F. Lot Line: A line of record bounding a lot, as indicated on an approved, filed, and recorded subdivision plat, which divides one lot from another lot or from a public or private street or any other public or private space and includes:

1. A front lot line is the lot line separating a lot from a street right-of-way. The front lot line of a corner lot is the shortest street lot line of a corner lot abutting a street. A front lot line for a double frontage lot is both lot lines that abut a street.
2. A rear lot line is the lot line opposite and most distant from the front lot line. In the case of triangular or similarly irregularly shaped lots, the rear lot line is a calculated line of ten feet in length entirely within the lot, parallel to and at a

maximum distance from the front lot line

3. On a corner lot, the corner side lot line and reverse corner side lot line is perpendicular or approximately perpendicular to the front lot line and is the longer street abutting lot line of a corner lot.

4. On an interior lot, the interior side lot line is perpendicular or approximately perpendicular to the front lot line and abuts an adjacent lot.

5. A street lot line is any lot line separating a lot from a street right-of-way.

G. Lot Width: Lot width is measured at the required front setback of the zone. Where the front setback of the zone is a build-to zone (BTZ), the furthest dimension of the build-to zone is used to measure lot width.

H. Yards and Setbacks

1. Front Yard and Front Setback: The front yard and front setback extend the full width of the lot between side lot lines measured perpendicular to the front lot line.

   i. Front Yard: A front yard is the area located between a principal building line and the front lot line.

   ii. Front Setback: A front setback is the required minimum distance per the zone that a principal building must be located from the front lot line.

   iii. For flag lots, the front yard and setback is measured from the rear lot line of the lot that separates the flag portion of the lot from the street.

   iv. Front setback averaging is calculated by averaging the front setback of two adjacent lots on either side of the subject lot. In the case of a lot near or at the end of the block, the total number of lots averaged must equal four lots total along that blockface, beginning with the lot or lots adjacent.

2. Interior Side Yard and Interior Side Setback: The interior side yard and interior side setback extend along the interior side lot line between the front and rear yard or setback, measured perpendicular to the interior side lot line.

   i. Interior Side Yard: An interior side yard is the area located between a principal building line and the interior side lot line.

   ii. Interior Side Setback: An interior side setback is the required minimum distance per the zone that a principal building must be located from the interior side lot line.

   iii. For single-unit attached dwellings, the interior side yard and interior side setback are only applicable to the side of the unit with no shared wall attachment to another unit. For townhouse developments, the interior side yard and interior side setback are only applicable to end

units of the overall townhouse building

3. Corner Side Yard and Corner Side Setback: The corner side yard and corner side setback extend along the corner side lot line between the front yard or front setback and the rear lot line, measured perpendicular to the corner side lot line.

    i. Corner Side Yard: A corner side yard is the area located between a principal building line and the corner side lot line

    ii. Corner Side Setback: A corner side setback is the required minimum distance per the zone that a principal building must be located from the corner side lot line.

4. Reverse Corner Side Yard and Reverse Corner Side Setback: The reverse corner side yard and reverse corner side setback extend along the corner side lot line between the front yard or front setback and the rear lot line, measured perpendicular to the reverse corner side lot line.

    i. Reverse Corner Side Yard: A reverse corner side yard is the area located between a principal building line and the corner side lot line.

    ii. Reverse Corner Side Setback: A reverse corner side setback is the required minimum distance per the zone that a principal building must be located from the reverse corner side lot line.

5. Rear Yard and Rear Setback: The rear yard and rear setback extend between interior side lot lines, measured perpendicular to the rear lot line.

    i. Rear Yard: A rear yard is the area located between a principal building line and the rear lot line.

    ii. Rear Setback: A rear setback is the required minimum distance per the zone that a principal building must be located from the rear lot line.

    iii. In the case of a corner lot, the rear yard and rear setback extend between the interior side lot line to the required corner side setback, measured perpendicular to the rear lot line.

6. Yard and Setback Requirements for Double-Frontage Lots: For double-frontage lots, both the front and the rear required setbacks must meet the required front setback of the zone. In the case of a double-frontage lot, one of the front setbacks are considered a rear yard for the purposes of applying the accessory structure regulations of this Code; the required dimension of the front setback still applies.

# Article 3. Administration and Enforcement

## 3.01 Permit Requirement

### A. General Rule

A building permit must be obtained from the Hamilton County Department of Building and Zoning before beginning any of the following activities within the Town of Walden:

1. Construction, erection, or placement of any building or structure
2. Relocation or movement of any building or structure
3. Alteration, enlargement, or structural change to an existing building or structure
4. Change in the use of a building, structure, or land.

### B. Exemptions

A building permit is not required for the following activities:

1. Agricultural uses and accessory farm buildings, unless electrical or plumbing work is to be installed
2. Home gardening and similar non-commercial activities in any zone
3. Minor residential remodeling costing $5,000 or less, that does not include structural, electrical, or plumbing work
4. Small accessory residential buildings conforming to all other requirements of this Ordinance, when the total cost of construction or alteration is $5,000 or less and no structural, electrical, or plumbing work is involved

## 3.02 Fees

All permit fees and related penalties are established by resolution of the Board of Mayor and Aldermen and are subject to change by resolution of said board. The adopted Fee Schedule shall be on file and available to the public through the Town Recorder's office.

## 3.03 Building Permits and Inspection

1. The Director of Building and Zoning of Hamilton County shall administer and enforce the provisions of this Ordinance related to building permits and inspections on behalf of the Town.
2. The permit office shall issue or withhold a building permit as required to ensure compliance with the Walden Zoning Ordinance.
3. Failure to obtain a required permit constitutes a misdemeanor, subject to the penalties described in § 7.05 of the Walden Zoning Ordinance.
4. The permit office and its employees shall not be liable for legal action resulting from the issuance or denial of a permit when acting in good faith and under the direction of the Board of Mayor and Aldermen.

### 3.04. Enforcement Authority

It is the duty of the Town Administrator, Code Enforcement Officer, and all other officials responsible for enforcing laws within the Town to enforce the provisions of this Ordinance.

### 3.05 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 $50.00 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.

### 3.06 Unlawful Acts and Remedies

A. **Unlawful Acts**
It is unlawful to erect, construct, reconstruct, alter, maintain, or use any building, structure, or land in violation of this Ordinance or any amendment adopted by the Board of Mayor and Aldermen. Any person, firm, or corporation violating this regulation shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

B. **Additional Remedies**
In addition to criminal penalties, the Town of Walden, acting through the Board of Mayor and Aldermen, may pursue any lawful remedy to correct or remove a violation, including but not limited to:

1. Injunction or restraining order;
2. Mandamus;
3. Abatement or removal of unlawful structures or uses; and
4. Any other remedy authorized by state law or equity.

These remedies are in addition to, and not in lieu of, any other rights or remedies available to the Town under this or any other ordinance, statute, or common law.

# Article 4. Interpretation and Amendments

## 4.01 Interpretation

In interpreting and applying the provisions of this Ordinance, such provisions shall be held to be the minimum requirements adopted for the promotion of the public health, safety, convenience, comfort, property, and general welfare. Nothing in this Ordinance shall be deemed to repeal, abrogate, annul, or impair any existing easements, covenants, or other agreements or regulations that impose greater restrictions.

## 4.02 Initiation of Amendments

The Board of Mayor and Aldermen may, from time to time, after receiving an advisory report from the Planning Commission and after public hearings as required by law, amend, supplement, or change the number, shape, or boundaries of zoning districts, or any regulation or provision of this Ordinance. Amendments may be initiated by the Board of Mayor and Aldermen or recommended by the Planning Commission.

## 4.03 Planning Commission Review of Amendments

Upon receipt of an application or proposal for a zoning ordinance or zoning map amendment, the Planning Commission shall prepare an advisory report approving or disapproving the proposal, or recommending conditions or modifications, together with the reasons therefor, and shall submit such report to the Board of Mayor and Aldermen.

In the case of amendments that would alter the zoning map, a notice of the meeting at which the rezoning is to be considered by the Walden Planning Commission shall sent by regular mail to each of the property owners within a be 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 notification purposes.

## 4.04 Public Hearing on Amendments

After receipt of the report from the Walden Planning Commission, the Town of Walden Board of Mayor and Aldermen shall hold a public hearing on all amendments to the Walden Zoning Ordinance. Notice of the public hearing shall be given in accordance with Tennessee Code Annotated § 13-7-203, and shall be published in a newspaper of general circulation within the Town of Walden not less than twenty-one (21) days prior to the date of the hearing.

In the case of amendments that would alter the zoning map, a notice of public hearing shall be sent by regular mail to each of the property owners within a 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 notification purposes.

### 4.05 Action of the Board of Mayor and Aldermen

Following the public hearing, the Board of Mayor and Aldermen shall, by majority vote, approve, approve with modification, or disapprove the proposed amendment.

### 4.06 Fees for Administrative Costs

The Board of Mayor and Aldermen may require the payment of an application fee in accordance with a fee schedule adopted by resolution or ordinance, which fee shall be reasonably related to the cost of processing the application.

### 4.07 Resubmittal Following Denial

When a petition for amendment has been heard and denied, no substantially similar petition affecting the same property or any part thereof shall be accepted for a period of twelve (12) months following the date of denial.

### 4.08 Incorporation of Amendments

Wherever the phrase “at the time of passage of this Ordinance” appears in this Ordinance, and as applied to land, buildings, properties, or uses affected by an amendment, such phrase shall be construed to mean “at the time of passage of the applicable amendment.”

# Article 5. General Provisions and Exceptions.

## 5.01 Exceptions to the Foregoing Regulations for All Zones

A. **Height Exceptions**

The height limitations of this Ordinance shall not apply to communication towers, church steeples, belfries, water tanks, silos, smokestacks, flagpoles, monuments, or similar structures, including necessary mechanical or functional appurtenances, provided such structures are otherwise permitted in the zoning district in which they are located and comply with all other applicable provisions of this Ordinance.

B. **Side Yards on Corner Lots**

On corner lots, fences and walls not exceeding six (6) feet in height may be erected; provided, however, that no fence, wall, or shrubbery shall be erected or maintained within twenty-five (25) feet of any street intersection.

C. **Lot of Record**

Any lot of record that meets the requirements of this Ordinance and has accepted access, as defined in Section ##, may be used as a building site for a single-family dwelling.

D. **Subdivision of Lots**

No lot shall be reduced in size or area below the minimum requirements of this Ordinance. Any division, recombination, or alteration of a lot or parcel of land that constitutes a “subdivision,” as defined and regulated by the Town of Walden Subdivision Regulations, shall comply with those regulations and all applicable provisions of this Ordinance.

Lots with dimensions shown on a document or plat recorded with the Hamilton County Register of Deeds prior to March 14, 1995 shall meet at least the minimum lot requirements of this Ordinance. However, resubdivision of lots of record may be permitted in accordance with the Subdivision Regulations, provided that no newly created lot is smaller in area than the original lot or lots from which it was created.
*(Ord. 2005-248, 8/9/05)*

## 5.02 Nonconforming Lots, Structures and Uses

### A. Purpose and Intent

The provisions of this Article are intended to recognize and regulate lawful uses, structures, and lots that existed prior to the adoption of this Ordinance or any amendment thereto but which do not conform to current zoning regulations. It is the intent of this Ordinance to permit the continuation of such nonconformities in accordance with Tennessee law, while limiting their expansion and encouraging their eventual elimination through redevelopment that conforms to this Ordinance.

### B. Nonconforming Lots

A lot that was lawfully created and recorded prior to the adoption of this Ordinance or any amendment thereto, but which does not meet current minimum lot area, width, or dimensional requirements, may be used for a permitted use in the zoning district in

which it is located, provided that all other applicable requirements of this Ordinance are met.

### C. Nonconforming Structures

A structure that was lawfully constructed prior to the adoption of this Ordinance or any amendment thereto, but which does not conform to current regulations governing height, setbacks, lot coverage, or other dimensional standards, may be continued, provided that:

1. The structure shall not be enlarged, extended, or altered in a manner that increases the degree of nonconformity; and
2. Structural alterations may be made only as necessary to maintain the structure in a safe condition or to comply with applicable building or safety codes.

### D. Nonconforming Uses of Structures or Land (General)

A lawful use of land or a structure that existed prior to the adoption of this Ordinance or any amendment thereto, but which is no longer permitted in the zoning district in which it is located, may be continued, subject to the following limitations:

1. The nonconforming use shall not be expanded, enlarged, or extended to occupy additional land or floor area;
2. The nonconforming use shall not be changed to another nonconforming use;
3. If a nonconforming use is changed to a conforming use, it shall not thereafter be changed back to a nonconforming use.

### E. Discontinuance of Nonconforming Uses

Except as otherwise provided in Section ## of this Article, if a nonconforming use of land or structure is discontinued or abandoned for a continuous period of one (1) year, any subsequent use of the land or structure shall conform to the provisions of this Ordinance.

Discontinuance may be evidenced by vacancy, cessation of operations, removal of equipment, or other objective evidence of nonuse.

### F. Nonconforming Business, Commercial, and Industrial Uses

Notwithstanding any other provision of this Ordinance, business, commercial, and industrial establishments that were lawfully in existence and in operation prior to the adoption of this Ordinance or any amendment thereto, and which have become nonconforming as a result of such adoption or amendment, shall be permitted to continue, expand, and reconstruct in accordance with Tennessee Code Annotated § 13-7-208(b)–(d), as amended.

1. Such uses shall lose their protected status only upon cessation of operations for a continuous period of thirty (30) months, provided that the Town establishes that such cessation was intentional and voluntary.
2. Any structure reconstructed or replaced in connection with such nonconforming use shall comply with current zoning requirements governing setbacks, height, bulk, and location on the site, unless otherwise exempt under state law.
3. Nothing in this section shall be construed to permit expansion or reconstruction that would constitute a public nuisance or violate applicable health or safety regulations.

### G. Restoration After Damage or Destruction

A nonconforming structure, or a structure containing a nonconforming use, that is damaged or destroyed by fire, flood, explosion, or other casualty may be repaired or reconstructed, provided that:

1. Restoration is commenced within one (1) year of the date of damage or destruction; and
2. The reconstructed structure does not increase the degree of nonconformity.

The Board of Mayor and Aldermen may grant a reasonable extension of time upon a showing of good cause.

**H. Nonconforming Manufactured Homes**

A manufactured home that constitutes a lawful nonconforming use may be replaced in the same location with another manufactured home, provided that:

1. The replacement occurs prior to abandonment of the nonconforming use;
2. A new building permit is obtained; and
3. The replacement manufactured home complies with all applicable building, plumbing, electrical, and safety codes.

## 5.03 General Lot and Access Standards

### A. Residential Lots – Principal and Accessory Structures

Each lot used for residential purposes shall be limited to one (1) principal residential structure and any accessory structures customarily incidental to the residential use.

### B. Required Public Access for Residential Lots

All residential lots within the Town of Walden shall have frontage on an existing street or road that is accepted by the Town and publicly maintained. Residential lots whose sole means of access is by a private road or easement shall not be permitted unless a Special Permit is granted by the Board of Mayor and Aldermen after review by the Walden Planning Commission.

### C. Building Permits on Lots Without Public Access

No building permit or use permit shall be issued for any lot that does not abut an existing street or road accepted and publicly maintained by the Town, unless a Special Permit authorizing access by a private road or easement has been granted by the Board of Mayor and Aldermen after review by the Walden Planning Commission.

## 5.04 Parking Requirements for All Zones.

It is the intent of this Ordinance to minimize, to the extent practicable, the size and extent of parking areas in order to reduce stormwater runoff and avoid the visual impacts commonly associated with large parking lots.

Off-street parking, with adequate drainage, shall be provided on the same lot as the structure or use it serves, except where alternative parking locations are approved by the Walden Design Review Commission.

Parking requirements for properties located within the Town Center–Residential and Town Center–Mixed Use zoning districts are set forth in Sections ## of this Ordinance. All other zoning districts shall provide off-street parking in accordance with the following minimum requirements:

A. **Residential Uses.** Two (2) parking spaces shall be provided for each dwelling unit.
B. **Churches and Places of Public Assembly.** One (1) parking space shall be provided for every three (3) fixed seats in the main auditorium or assembly area.
C. **Bed and Breakfasts and Inns.** One (1) parking space shall be provided for each guest room or guest unit, plus one (1) additional parking space for the innkeeper's dwelling unit.
D. **All Other Uses.** Four (4) parking spaces shall be provided for each 1,000 square feet of net leasable floor area, or such lesser number of spaces as the Board of Mayor and Aldermen determines to be sufficient to meet the reasonable parking needs of the use.

**5.05 Distance between buildings.**

Where more than one (1) permanent building is located on one (1) parcel, the buildings shall be at least twenty (20) feet apart, except as allowed by the adopted Design Review Standards in the Town Center.

**5.06 Livestock and Fowl.**

The keeping of livestock and fowl shall be permitted subject to the following standards:

A. Livestock and fowl density shall not exceed one (1) large livestock animal per acre or two (2) small livestock animals per acre, unless otherwise permitted by this Ordinance.
B. These standards shall apply to new agricultural operations and expansions of existing operations.
C. It shall be unlawful for any person to own, keep or maintain more than 100 livestock or fowl in the Town of Walden.
D. Nothing herein shall be construed to prohibit or restrict a lawful agricultural operation that is protected under the Tennessee Right to Farm Act, T.C.A. § 43-26-101 et seq.

To be discussed

**5.07 Home occupations**

An occupation may be conducted in a dwelling unit or accessory building such as offices and studios, provided that;

A. No such persons other than those residing on the premises shall be engaged in such occupation;
B. The use of the dwelling unit for home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
C. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation;
D. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, nor shall any equipment or process be used which creates visual or audible interference in any radio or television received off the premises. In the case of a two (2) family dwelling or multiple family dwelling, no use shall be permitted which affects another unit in the same building in the above mentioned ways;
E. There is no outside storage or display of merchandise;

F. There is no outside storage or use of equipment or machinery relative to the use;

G. Such home occupation does not include the retailing of stock in trade nor the sale or rental of any goods not produced within the premises; and

H. No traffic shall be generated by such home occupation in greater volumes than would be normally expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and in a location other than in the required front yard.

## 5.08 General Provisions Applicable to the Town Center (Ord. 2023-359, 10/17/23)

A. **Purpose.** The purpose of this section is to implement the portions of Town of Walden Plan that promote the development of a mixed-use, pedestrian-friendly Town Center.

B. **Intent.** It is the intent of this section to enable the development of Walden's Town Center in accordance with Article 1.01 of this Ordinance and in a manner that:
   1. allows for an interconnected pattern of development
   2. allows for a mixture of uses that promote a vibrant heart for the community;
   3. allows for a mixture of housing types that meet a variety of needs for all walks of life;
   4. promotes the inclusion of usable formal and informal open space;
   5. creates a comfortable environment for pedestrians and bicyclists through appropriate building placement and sidewa.lk and street design; and
   6. is sensitive to the unique environmental features of Walden.

C. **Territorial Applicability.** The Town Center is established with the Town of Walden Plan, where it is referred to as the "Taft Highway Focus Area." The Town Center is shown on the Town of Walden Zoning Map. Amendments to the boundaries of the Town Center may only be made through an amendment to the Town of Walden Plan or adoption of a new General Plan by the Board of Mayor and Aldermen in accordance with Article 10 of this Ordinance following a report by the Planning Commission.

D. **Future Zoning Designations**. All future rezonings within the Town Center shall be in compliance with the Town of Walden Plan. The following zoning designations may be applied for in the Town Center:
   1. TC-MU Town Center Mixed Use
   2. TC-R Town Center Residential

**E. Design Review Standards.** All development must follow the Town of Walden Design Review Standards, unless specifically listed as an exemption in the Design Review Standards.

**F. Rezoning Application Procedures within the Town Center Boundary.**

**1. Applicable Zones.** Property owners and/or developers may apply for either the Town Center- Mixed Use or Town Center-Residential zones within the Town Center Boundary. The developer must illustrate how the proposed TC-MU or TC-R development will comply with the Town of Walden Plan.

**2. Pre-Application Conference.** A pre-application conference with the Town of Walden Staff, or their designee(s), is required prior to any application for approval under the TC district. The purpose of the pre-application conference is to provide an overview of the materials necessary to submit an application and a description

of the process; answer questions related to development under the TC district; and determine and clarify issues that may arise. Applicants are encouraged to prepare and bring the following to the pre- application conference:

i. Sketch map of the site illustrating known constraints;
ii. Description or sketches of the proposed development or use;
iii. Information or reports regarding topographic, geotechnical, and other known environmental constraints on the site;
iv. Information or concepts for stormwater;
v. management and wastewater treatment; and
vi. Any other supporting materials the applicant wishes to share about the development

**3. Application.** The application for the TC-MU or TC-R shall include the following:

i. 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; existing paved areas or roads; live specimen trees exceeding 12 inches in diameter at breast height measuring from the natural ground; any features of the land that may impact development.

ii. Conceptual site plan showing the following:
   a) Adjacent parcels with measurements for reference if only a portion of a property is to be designated TC-MU or TC-R
   b) Approximate location, size, and dimensions of the existing or proposed building(s)
   c) Property lines and building setback lines
   d) Landscaped buffers when required by the Zoning Ordinance and/or Design Review Standards
   e) Proposed streets, sidewalks, and right-of-ways
   f) Proposed open spaces
   g) Approximate location of any proposed public amenities such as parks, squares or greenways
   h) Approximate parking area and calculations
   i) Vehicular and pedestrian points of ingress and egress
   j) Proposed septic field line area, backup field line area and/or wastewater system
   k) Conceptual stormwater plan

iii. A narrative impact statement of the project providing details on the following:
   a) Traffic impact
   b) Environmental Impact
   c) Economic viability of proposed commercial uses
   d) Supporting documentation for the narrative impact statement

# Article 6. Zones and Zoning Map

## 6.01 Designation of the Town Center Boundary

The Town Center boundary is designated on the official Zoning Map in accordance with the **Town of Walden Plan**, the adopted General Plan for the Town of Walden. Within this Plan, the Town Center is identified as the **Taft Highway Focus Area**.

All existing zoning within the Town Center that was in effect on **October 17, 2023** shall remain in effect until an application is made to rezone the property.

All future zoning decisions within the Town Center shall comply with the **Town of Walden Plan**, and only zoning districts determined to be consistent with the Plan shall be approved by the Town of Walden Board of Mayor and Aldermen in accordance with Article 10 of this Ordinance following review and recommendation by the Planning Commission.
The zoning districts permitted within the Town Center are identified in Section 6.02(b) below.

## 6.02 Divisions into Zones

For the purpose of regulating land use, building height and bulk, yard areas and open space, and population density, the incorporated territory of the Town of Walden, Tennessee, is divided into the following zoning districts.

**A. Zoning Districts Applicable Outside the Town Center**

A-1 Agriculture Zone
E-1 Estate Zone
R-1 Residential Zone
C-1 Commercial Zone
LM-1 Light Manufacturing Zone

**B. Base Zoning Districts Applicable Within the Town Center Boundary**

TC-MU Town Center Mixed Use
TC-R Town Center Residential

**C. Overlay Zoning Districts**

OS-1 Open Space Overlay Zone

## 6.03 Official Zoning Map

The boundaries of the zoning districts are hereby established as shown on the map entitled “Zoning Map of the Town of Walden, Tennessee,” which accompanies and is hereby made a part of this Ordinance.

The Zoning Map, including all notations, references, and other information shown thereon, shall be considered as much a part of this Ordinance as if fully set forth herein.

The official Zoning Map shall be maintained in the office of the Town Administrator, or their designee, and shall be available for public inspection.

## 6.04 Interpretation of Zoning District Boundaries

Where uncertainty exists as to the boundaries of zoning districts as shown on the Zoning Map, the following rules shall apply:

A. Boundaries shown as following streets, roads, alleys, or railroad rights-of-way shall be interpreted as following the centerline of such features.

B. Where boundaries appear to follow lot lines, such lot lines shall be considered the zoning district boundary.
C. Distances not specifically indicated on the Zoning Map shall be determined using the map scale.
D. Measurements and map dimensions shall be interpreted from the centerline of streets and alleys, unless otherwise indicated.

**6.05 Adoption of Zoning District Boundaries**

The zoning district boundaries shown on the official Zoning Map are hereby adopted and approved. The regulations established by this Ordinance shall apply to all land, including water areas, located within each zoning district as shown on the map.

**6.06 Compliance with Zoning District Regulations**

Except as otherwise provided in this Ordinance:

A. No building or structure shall be erected, altered, moved, or used except in compliance with the regulations of the zoning district in which it is located.
B. No land or premises shall be used for any purpose other than those uses permitted within the applicable zoning district.
C. No building or structure shall be erected or structurally altered except in conformity with the height, area, and other regulations established for the zoning district in which it is located.