

ORDINANCE # 2021-341

AN ORDINANCE OF THE TOWN OF WALDEN, TENNESSEE ESTABLISHING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS IN A DESIGNATED AREA OF THE TOWN OF WALDEN UNTIL COMPLETION OF A COMPREHENSIVE STUDY OF A TOWN CENTER

WHEREAS, issues relative to the nature of commercial and high-density residential development in the Town of Walden have been a matter of recent public concern; and

WHEREAS, the Board of Mayor and Alderman finds that herewith and so declare that as a result of these issues and the general public desire to see commercial and high-density residential development subject to a planning process that takes into consideration the uniqueness of certain areas of the Town of Walden, particularly considering continuous advancements in the area of community planning, there is the necessity for comprehensive analysis and studies to determine whether the regulations and ordinances governing development in the questioned area are appropriate and are the best means of achieving the desired result; and

WHEREAS, there remain *bona fide* planning issues and problems that may and do negatively affect the quality of Life and well-being of the citizens of the Town including such matters as delivery of essential public services and utilities, traffic congestion and waste disposal; and,

WHEREAS, in furtherance of these goals, it is appropriate to suspend the issuance of building permits during this process of study and evaluation; and,

WHEREAS, as this period of review, study and evaluation has already commenced by means of the appointment and recent work of the Town's Land Use Committee, until the implementation of new regulations and land use criteria, if appropriate, irreparable harm may be done to the area in question by permitting parties to hasten to begin their project prior to the implementation of new regulations for different land uses; and,

WHEREAS, it is necessary to establish the procedure provided for herein for the imposition and use of a temporary moratorium for a reasonable period to permit orderly review, study, development and implementation for comprehensive community planning and land use for the Town Center; and

WHEREAS, the Town continues to pursue an appropriate and in-depth analysis of legitimate planning questions relating to the Town Center;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF WALDEN, TENNESSEE as follows:

SECTION 1: That There is hereby declared to be established a moratorium on the issuance of any building permits for the "Town Center" area, as described in Exhibit A attached hereto, and

incorporated herein by reference effective immediately upon the date of passage of this Resolution.

SECTION 2: That the moratorium established herein will extend to June 1, 2022, subject to revision by the Board of Mayor and Alderman as required by the circumstances.

SECTION 3: Provision is hereby made for obtaining relief from this moratorium by an applicant submitting to the Board a written statement demonstrating that untenable hardship shall inure to the applicant in the event that said applicant cannot obtain a building permit. The Board or their designee shall promptly transmit the application for relief to the Chattanooga-Hamilton County Regional Planning Agency which shall review the application and make a recommendation to the Board. The Board may then determine whether untenable hardship exists and either deny the application or grant leave to apply for the appropriate permits subject to the requirements imposed applicable Codes and Ordinances. For the purposes of this Section, untenable hardship is defined to mean a hardship unique to the property involved in the application and must be peculiar to that particular property, not general in character. Economic or self-imposed hardship shall not be grounds for relief.

This ordinance shall take effect upon its publication.

First Reading

11/9/21

Yea 3

Nay 0

Second Reading

12/14/21

Yea 3

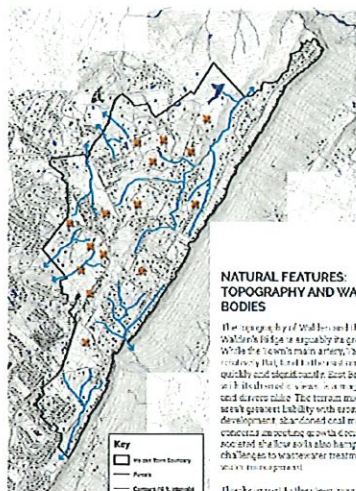
Nay 0



Lee Davis, Mayor



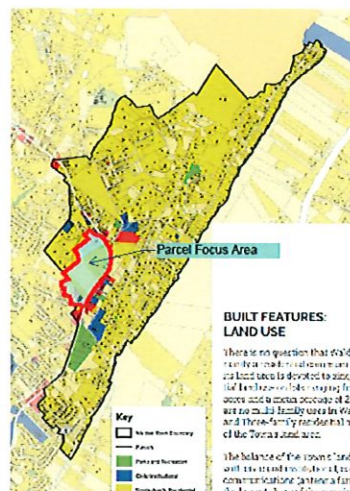
Fern Lockhart, Recorder



NATURAL FEATURES: TOPOGRAPHY AND WATER BODIES

The topography of Walden and the general Walden Ridge is arguably the greatest asset. While the town's main artery, Highway 10, is relatively flat, it is flanked by steep, wooded hills. The terrain is rugged and uneven, with a high degree of variability in elevation. The town's development is constrained by the steep slopes and the presence of water bodies. The town's development is constrained by the steep slopes and the presence of water bodies.

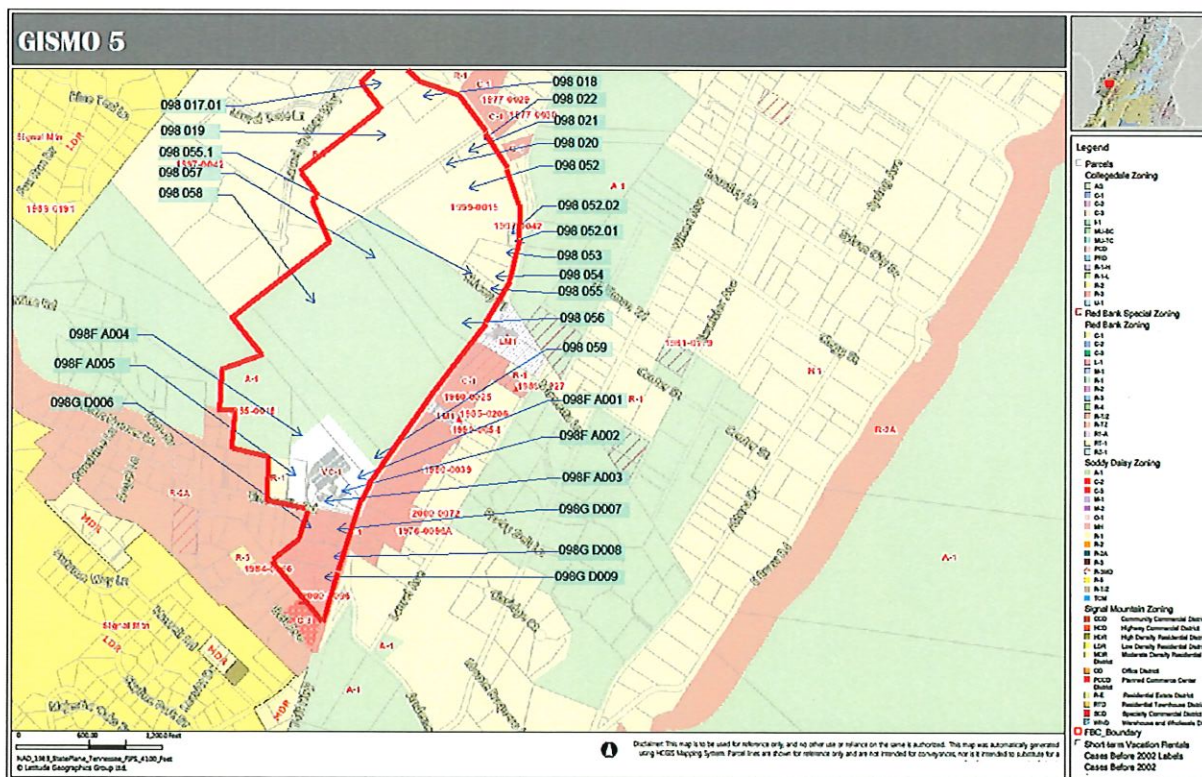
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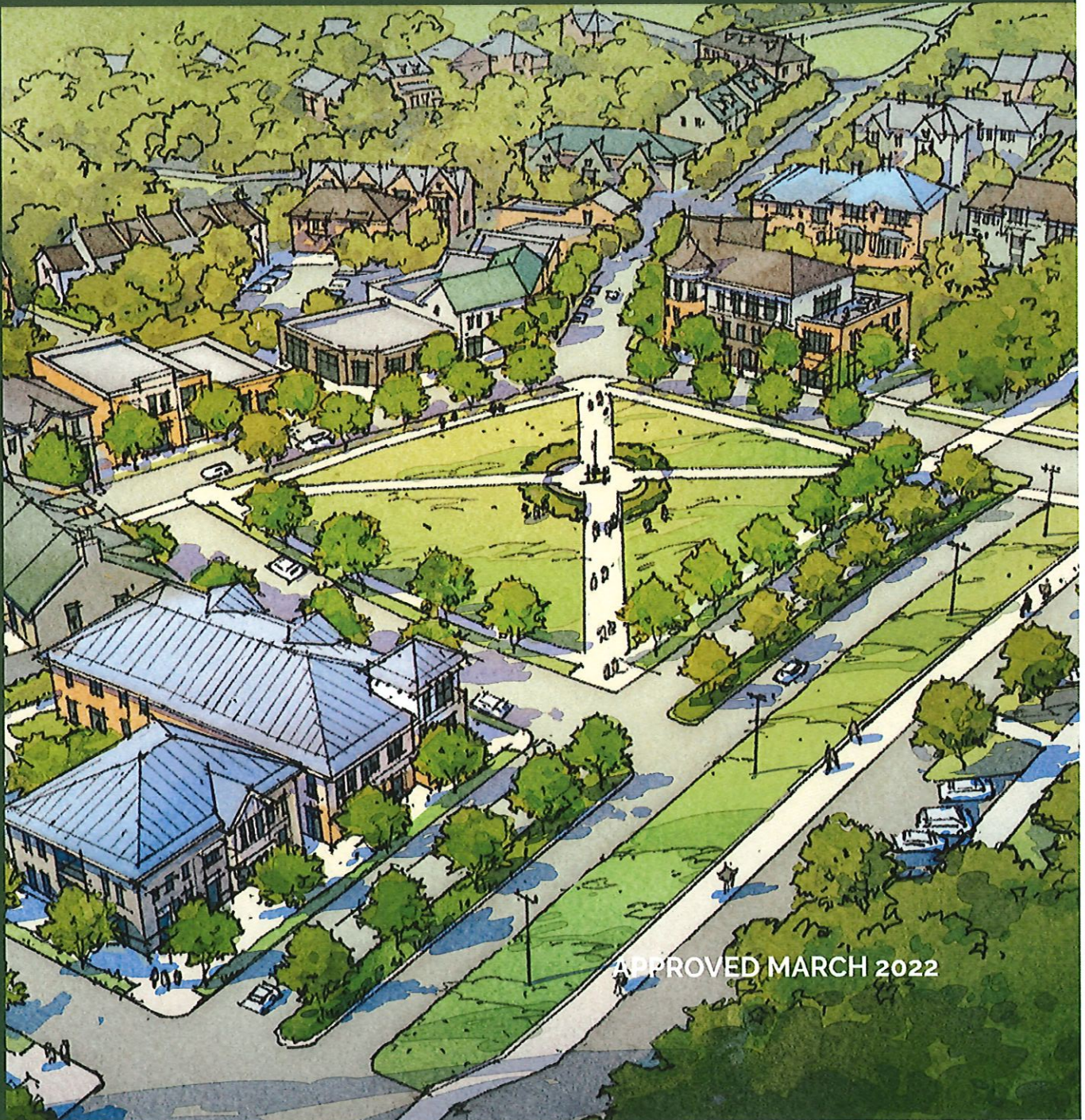
BUILT FEATURES: LAND USE

There is no question that Walden is predominantly residential. The town's land use is characterized by a high density of residential development. The town's land use is characterized by a high density of residential development. The town's land use is characterized by a high density of residential development.

The balance of the town's land use is primarily residential. The town's land use is characterized by a high density of residential development. The town's land use is characterized by a high density of residential development. The town's land use is characterized by a high density of residential development.



TOWN OF WALDEN PLAN



APPROVED MARCH 2022



Account #: 108391
Company: TOWN OF WALDEN TN / Legal
Client:
Ad number: 226302
PO#:
Note:

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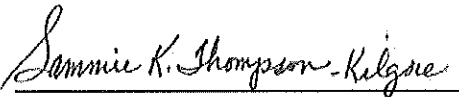
Before me personally appeared Jim Stevens, who being duly sworn that he is the Legal Sales Representative of the CHATTANOOGA TIMES FREE PRESS, and that the Legal Ad of which the attached is a true copy, has been published in the above named newspaper and on the corresponding newspaper website on the following dates, to-wit:

Chattanooga Times Free Press: 01/21/22; TimesFreePress.com: 01/21/22, 01/22/22.

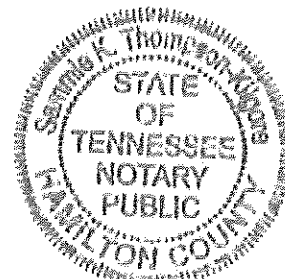
And that there is due or has been paid the CHATTANOOGA TIMES FREE PRESS for publication the sum of \$58.30. (Includes \$10.00 Affidavit Charge).



Sworn to and subscribed before me this date: 01/27/2022



My Commission Expires 02/28/2023



Chattanooga
Times Free Press

400 EAST 11TH ST
CHATTANOOGA, TN 37403

PUBLIC HEARING

TOWN OF WALDEN, TENNESSEE
WALDEN LAND USE PLAN

The TOWN OF WALDEN BOARD OF
MAYOR AND ALDERMEN WILL MEET
IN OPEN SESSION ON FEBRUARY 8,
AT 6:30 P.M. AT WALDEN TOWN HALL
TO CONSIDER ON FIRST READING
ORDINANCE # 2022-342, APPROVING
A LAND USE PLAN FOR THE TOWN.

MAYOR LEE DAVIS

March 10, 2022

Chattanooga Publishing Company
400 East Eleventh Street
Chattanooga, Tennessee 37402

Attention: Legal Advertising

Please publish the attached notice at your earliest convenience, in the "CHATTANOOGA TIMES
CHATTANOOGA FREE PRESS".

TOWN OF WALDEN, TENNESSEE

PUBLIC HEARING

THE TOWN OF WALDEN BOARD OF MAYOR AND ALDERMAN PASSED ON FINAL READING ORDINANCE #2022 –
342, AN ORDINANCE OF THE TOWN OF WALDEN , TENNESSEE ADOPTING A LAND USE PLAN.

MAYOR LEE DAVIS

If any further information is required regarding this matter, please contact me at 886-4362.

Sincerely,

Mariah Prescott, Recorder



THANK YOU
FOR YOUR ORDER

Account #: 108391
Company: TOWN OF WALDEN TN / Legals
Client: TOWN OF WALDEN TN / Legals
Street Address: PO BOX 335
City, State: SIGNAL MTN, TN
Zip Code: 37377-0335
Phone #: (423) 886-4362

Ad ID #: 229600
Copy Line: PUBLIC HEARING TOWN

Ad Start Date: 03/11/22
Ad Stop Date: 03/12/22
Insertions: 3

PUBLIC HEARING TOWN OF WALDEN, TENNESSEE The Town of Walden Board of Mayor and Alderman passed on final reading Ordinance #2022-342, and ordinance of the Town of Walden, Tennessee adopting a land use plan. Mayor Lee Davis
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Order Date: 03/10/22
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Ad taker: JSTEVENS

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