

In Article 8. Special Permits, under 8.01 Applications for a Special Permit, replace with the following:

- (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.

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, upon recommendation by the Planning Commission, may grant a Special Permit for a structure exceeding the maximum gross floor area of 5,000 square feet, and not exceeding the maximum gross floor area of all floors combined of 15,000 square feet within the TC-MU

zone, 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