

DRAFT

ORDINANCE NO. 2023-360

AN ORDINANCE AMENDING THE EXISTING WALDEN ZONING ORDINANCE FOR THE PURPOSE OF DEFINING THE TERM “SHORT TERM VACATION RENTALS” AND PERMITTING THIS USE IN THE R-1 RESIDENTIAL, A-1 AGRICULTURAL, E-1 ESTATE, C-1 COMMERCIAL, TC-MU TOWN CENTER RESIDENTIAL AND TC-R TOWN CENTER RESIDENTIAL ZONES WITH A SPECIAL USE PERMIT PURSUANT CERTAIN CONDITIONS

WHEREAS, Tennessee Code Annotated (TCA) § 13-7-201, allows for the zoning of territory within a municipality; and

WHEREAS, the Walden Municipal Planning Commission has certified a zoning ordinance as provided for in TCA § 13-7-202, adopted by the Town of Walden Board of Mayor and Aldermen as Ordinance 2002-230 and readopted as Ordinance 2023-354 and amended from time to time; and

WHEREAS, TCA §13-7-204 authorizes amendments to a zoning ordinance; and

WHEREAS, the Walden Municipal Planning Commission has reviewed the existing Walden Zoning Ordinance and recommended certain changes in order to implement the Town of Walden Plan, adopted by the Town of Walden Board of Mayor and Aldermen as Ordinance 2022-342; and

WHEREAS the Walden Municipal Planning Commission reviewed and recommended the amendments to the Walden Zoning Ordinance contained herein at their regularly scheduled meeting held on September 28, 2023; and

WHEREAS, in accordance with TCA § 13-7-203, subsection (a), a public hearing was held prior to final reading of this ordinance;

NOW THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town Of Walden, Tennessee that Ordinance 2023-354, also known as the Walden Zoning Ordinance, be amended as follows:

Section 1: That Section 1.07 Specific Definitions be amended by adding the following definition in the appropriate alphabetical order.

"Short-Term Vacation Rental" (STVR) shall mean any house or structure advertised or held out to the public as a place where guest rooms are supplied for compensation and such accommodations are provided on a weekly or daily basis for no more than thirty (30) days. This definition does not include bed and breakfast establishments, hotels, motels, or any dwelling units rented or leased for more than 30 days.

Owner-Occupied Short-Term Vacation Rental: An STVR where the proprietor/operator of any house or structure used as a short-term vacation rental is a full-time resident of the short-term vacation rental property and continue to reside on the property throughout all guest stays.

Non-Owner-Occupied Short-Term Vacation Rental: All STVRs that do not meet the criteria of an Owner-Occupied STVR.

Section 2: That Section 4.01 Agricultural Zone, Part (d) Special Uses Permitted be amended by adding:

(12) Owner-Occupied Short Term Vacation Rentals on parcels with an area greater than five (5) acres limited to one per lot

Section 3: That Section 4.02 Estate Zone, Part (d) Special Uses Permitted be amended by adding:

(8) Owner-Occupied Short Term Vacation Rentals on parcels with an area greater than five (5) acres limited to one per lot

Section 4: That 4.03 Residential Zone, Part (d) Special Uses Permitted be amended by adding:

(7) Owner-Occupied Short Term Vacation Rentals on parcels with an area greater than five (5) acres limited to one per lot

Section 5: That Section 4.04 C-1 Commercial Zone, Part (c) Special Uses Permitted be amended by adding:

(11) Short-Term Vacation Rentals, both Owner-Occupied and Non-Owner Occupied, limited to one (1) per structure

Section 6: That Section 4.05 Town Center-Mixed Use Zone, Part (d)(2) Special Uses Permitted be amended by adding:

(7) Short-Term Vacation Rentals, both Owner-Occupied and Non-Owner Occupied, limited to one (1) per structure

Section 7: That Section 4.06 Town Center-Residential, Part (d)(2) Special Uses Permitted be amended by adding:

(5) Short-Term Vacation Rentals, both Owner-Occupied and Non-Owner Occupied, limited to one (1) per structure, provided that the structure is not a single-family detached structure

SECTION 2: Effective Date. The ordinances and amendment described above shall take effect upon their adoption and publication, the public welfare requiring it.

Approved this the _____ day of _____, 2023, the public welfare requiring it.

First reading and public hearing: 12/12/2023

Final reading:

Yay:

Yay:

Nay:

Nay:

Mayor

Attest: _____

Town Recorder