Under Article 4. Zone Regulations, replace 4.05 Village Center Zone (VC-1) with a new zoning district as follows:

4.05 TOWN CENTER ZONE (TC)

(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 for the Town of Walden.

(b) **INTENT**. It is the intent of this section to enable the development of Walden's Town Center in a manner that:

- allows for an interconnected pattern of development through streets and blocks;
- allows for a mixture of uses that promote a vibrant heart for the community;
- allows for a mixture of housing types that meet a variety of needs for all walks of life;
- promotes the inclusion of usable formal and informal open space;
- creates a comfortable environment for pedestrians and bicyclists through appropriate building placement and sidewalk and street design; and
- is sensitive to the unique environmental features of Walden.

(c) **TERRITORIAL APPLICABILITY**. The TC district applies to property generally located along the west side of Taft Highway and identified in the Town of Walden Plan as shown in **Figure 4.05-A**.

(d) **SUB-DISTRICTS**. This Section recognizes that there are two distinct areas within the Town Center as identified in the Town of Walden Plan; therefore, the following sub-districts as generally illustrated in **Figure 4.05-B** are established:

- Town Center Mixed-use (TC-1)
- Town Center Residential (TC-2)

The two Sub-districts are the only areas where the provisions of this Section may be applied. The remaining area within the TC shall be developed according to the A-1 zoning district, preserved in its natural state, or set aside as permanent open space to meet the open space requirements of this section.

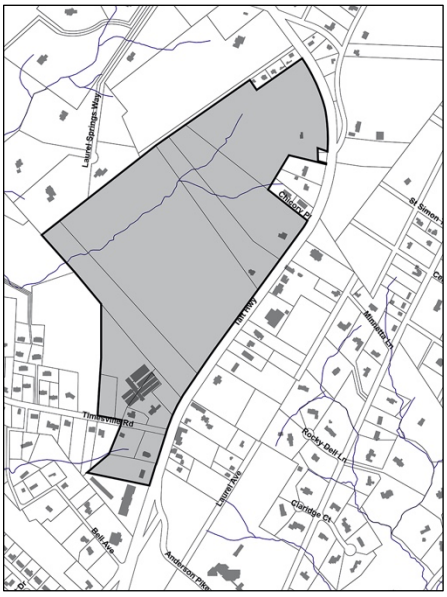


Figure 4.05-A Territorial Applicability Map

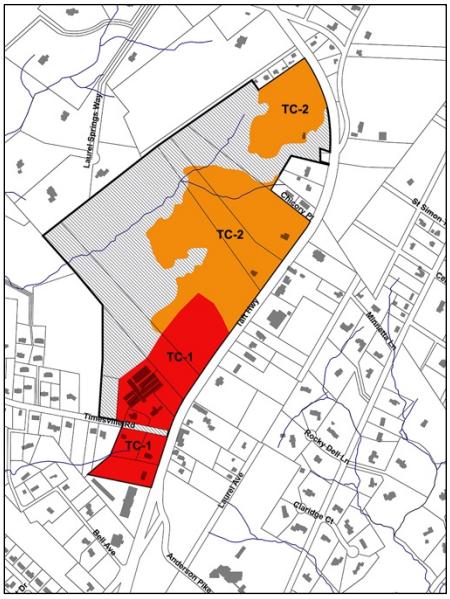


Figure 4.05-B Sub-district Map

(e) **STANDARDS AND GUIDELINES DEFINED**. This Section establishes design standards and design guidelines.

(1) **Design Standards**. Design Standards are prescriptive, quantifiable measures and rules that provide specific direction for meeting the intent of this section.

Design Standards use terms such as “shall” or “must” to indicate that compliance with the standard is required.

(2) **Design Guidelines**. Design Guidelines are recommended approaches for meeting the intent of this section. Design Guidelines use terms such as “should” or “may” to indicate that the guideline is relevant to the intent and will be considered during the review process.

(f) **LAND USE**

(1) **Permitted Land Uses**

(a) **Town Center Mixed-use (TC-1)**. In addition to the land uses permitted by right in the General Commercial Zone (C-1) under Section 4.04(b), the following uses are also permitted by right:

(1) Assisted Living Facilities;
(2) Churches;
(3) Home occupations;
(4) Liquor sales;
(5) Live/Work townhouses;
(6) Multi-family dwellings on upper floors of non-residential or mixed-use buildings; and
(7) Single-family attached Townhouses.

(b) **Town Center Residential (TC-2)**

(1) Accessory dwelling units;
(2) Churches;
(3) Day care homes;
(4) Home occupations;
(5) Multi-family dwellings;
(6) Municipal parks;
(7) Schools;
(8) Single-family attached Townhouses; and
(9) Single-family detached dwellings

(2) **Special Uses Permitted**. Subject to the issuance of a Special Use Permit by the Board of Mayor and Alderman:

(a) **Town Center Mixed-use (TC-1)**

(1) Cemeteries;
(2) Hotel/Motel
(3) Public utilities;
(4) Short-term vacation rentals;
(5) In general, all stores, shops, or services similar in character, type and effect to the uses permitted as listed in 4.05.(f)(1)(a), but not listed as permitted by right, unless otherwise controlled or provided by law; and
(6) Any building, regardless of use, that has a building footprint of greater than 5,000 square feet.

(b) **Town Center Residential (TC-2)**

(1) Public utilities;
(2) Day care centers;
(3) Assisted living facilities provided that the facility shall contain no more than eight (8) residents. Such facility may include two (2) additional persons (plus their dependents) acting as houseparents or guardians, who need not be related to the persons residing in the house.;
(4) Cemeteries; and
(5) Bed and Breakfasts.

(3) **Uses Prohibited**

(a) Auto repair;
(b) Auto sales;
(c) Commercial radio, television, telephone, microwave towers; and

(d) Gasoline service stations

(g) **CONFLICTING PROVISIONS**

(1) **Conflict with State or Federal Regulations**. If the provisions of the TC district are inconsistent with those of the state or federal government, the more restrictive provision will control, to the extent permitted by law. The more restrictive provision is the one that imposes more stringent controls.

(2) **Conflict with other Town Regulations**. If the provisions of the TC district are inconsistent with one another, or if they conflict with applicable provisions found in other adopted ordinances or regulations of the Town the provisions of the TC will control.

(3) **Graphics**. The graphics in this section are for illustrative purposes only. Where there is a conflict between a graphic and the text, the text controls.

(h) **ADMINISTRATIVE PROCEDURES SPECIFIC TO THE TC DISTRICT**

(1) **Pre-Application Conference**. A pre-application conference with the Board of Mayor and Aldermen, 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:

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

(2) **Site and Building Plan Review**. Site and Building Plan review is required under the TC district. Applicants shall submit a Site and Building Plan application to the Town of Walden. Town staff or their designee shall review the Site and Building Plan application. Upon review, if all the requirements of this section and other provisions of the Zoning Ordinance have been met and no deviations from the standards are requested, the Site and Building Plan application may be approved administratively. Otherwise, the Site and Building Plan application shall be referred to the Town's Design Review Board (DRB) for approval. Town staff or their designee, at their discretion and at any time, may submit the Site and Building Plan application to the DRB for approval. If approval of the application is denied, the applicant may appeal the decision to the Town Board. Regardless of Site and Building Plan approval, proposed development is still subject to review by other agencies and departments before permits may be issued. The following documents are required to be submitted with the Site and Building Plan application.

(a) **Individual Single-family and Two-family Residential**

- A site plan to include the site boundary, location of all buildings or other structures, parking areas, setbacks dimensioned, and applicable calculations that indicate compliance with the provisions of the TC district; and
- additional information necessary to satisfy Town of Walden or Hamilton County requirements for engineering, wastewater, and stormwater management.

(b) **All Other Development**

- Final site plan prepared by a Tennessee licensed engineer or surveyor for the development to include the site boundary,

topographic information, flood and other natural feature information, location of all buildings or other structures, interior streets, parking areas, open space, utilities, and all other features and facilities to be installed or used in connection with the proposed development. Applicable calculations that indicate compliance with the provisions of the TC district shall be included on the site plan in tabular format;

- a geotechnical report for the entire site;
- a detailed landscape plan to include the location and species of all plantings and the location and design of all fences and walls;
- elevations of all building facades to include dimensions, materials, and applicable calculations in tabular format to indicate compliance with the provisions of the TC district; and
- additional information necessary to satisfy Town of Walden or Hamilton County requirements for engineering, wastewater, and stormwater management.

Upon approval, a Site and Building Plan is valid for a period of three (3) years, after which it becomes void unless a building permit has been issued based on the approved Site and Building Plan.

(3) **Deviations from Standards**. Requests for deviations from the standards in this Section may be considered when such deviations are deemed to enhance the appearance and design of proposed development or to allow for the adaptive reuse of existing non-conforming structures. The following procedures apply:

(a) A request for deviations shall be submitted by the applicant in writing at the time of the initial filing of the Site and Building Plan application. The request shall state the deviation(s) requested; the grounds for the request; and the facts upon which the applicant is relying.

(b) The DRB shall make a recommendation to approve or deny the request. The DRB may recommend approval of the request if it determines the deviation(s) will not be detrimental to the health, safety, and welfare of the public; the grounds for the request are unique to the project; the deviations are necessary to achieve the design intent of the project; and the deviations are not contrary to the intent of the Town of Walden Plan and the TC district.

(c) Upon a favorable recommendation by the DRB, the request for deviations will be referred to the Board of Appeals for final approval. If the request is denied, the applicant may appeal the decision as outlined in Article 9. Board of Appeals for Variances.

(d) The DRB may impose reasonable conditions or restrictions in granting deviation requests to protect the health, safety, and welfare of the public and meet the purposes and intent of this Section.

(4) **Revisions to an Approved Site and Building Plan**

Requests to revise or modify an approved Site and Building Plan in whole or in part shall be filed with and considered by Town staff or their designee. Town staff or their designee, at their discretion and at any time, may submit the request to revise an approved Site and Building Plan to the DRB for approval. In instances where any of the area within an adopted Site and Building Plan is developed, the following types of changes shall require approval from the DRB including a public hearing:

(a) More than 5% change in land area being added or removed from the Site and Building Plan;

(b) Increases in the number of dwelling units;

(c) An increase of more than 5% in the building area of any single non-residential building, or an increase of more than 10% in the total building area of all non-residential buildings in the development, and any increase in the building area, regardless of use, that was 5,000 square feet in the approved Site and Building Plan;

(d) Changes to the street network that reduces connectivity within or between developments.
(e) Changes that reduce the amount of open space by more than 5%; and
(f) Changes in any approved deviations from the standards as defined in section 4.05(h)(3).

(i) **DEVELOPMENT REGULATIONS GENERAL TO ALL SUB-DISTRICTS**

(1) **Development Layout**

(a) **Cohesive Development**. Individual developments must work together to form a complete Town Center that is consistent with the purpose and intent of this section.

(1) Developments ten (10) acres and greater shall demonstrate through the required Site and Building Plan that the system of blocks, streets, open space, and development mix promote a complete Town Center.

(2) Incremental development is permitted; however, developments with less than ten (10) acres should be master planned together to form complete neighborhoods, and, at a minimum, the Site and Building Plan shall demonstrate interconnection with adjacent existing or future development.

(3) Development on the west side of Taft Highway shall be interconnected with a north/south street between the Anderson Pike/Taft Highway intersection on the south to Timesville Road and from Timesville Road to Taft Highway near the Anderson Pike/Fairmount Pike/Taft Highway intersection on the north.

(b) **Grading and Drainage**. Proposed development shall be designed in a manner that is sensitive to and enhances the natural features of the immediate site and its surroundings.

(1) Excessive clearing of existing, mature vegetation is discouraged. Specimen trees, particularly within groups of mature vegetation, should be preserved and incorporated into the design of the development.

(2) Mass grading of sites should be avoided. Proposed development should be designed in a manner that works with the topographic form of the site. If large expanses of significant topographic change exist, the type of proposed development in such areas should be appropriate to the landform to avoid grading that significantly alters the landscape.

(3) A variety of best management practices are encouraged to address stormwater drainage and runoff management. Best management practices include tools and techniques related to paving, channeling, storage, and filtration. Large detention ponds are discouraged as the sole means of stormwater management unless such ponds can be designed in a naturalistic manner that complements the development and is part of a usable public space network. Appropriate stormwater management tools will depend on the geological characteristics of the site and local and state requirements, but the following tools shall be considered:

(a) Paving

- Crushed stone/gravel (driveways, alleys, parking areas)
- Concrete/asphalt/stone paver blocks
- Grassed cellular plastic/concrete (driveways, alleys, parking areas)
- Pervious asphalt/concrete

(b) Channeling
- Vegetative/stone swale (TC-2)
- French drain (TC-1)
- Planting strip trench (TC-2)
- Sculpted watercourse (TC-1)

(c) Storage
- Retention hollow (TC-2)
- Flowing park (TC-2)
- Landscaped/grated tree well (TC-1)

(d) Filtration
- Constructed wetland
- Bio-retention swale
- Purification biotope
- Green finger/roof
- Rain garden

(c) **Utilities**. All utilities for new development or redevelopment in public or private right-of-way, shall be placed underground, except for extreme conditions where underlying rock or other barriers make this requirement unreasonable; or where certain appurtenances and accessories must be installed above ground for servicing. In such instances, above ground utility systems shall not be located between the building and the street.

(d) **Wastewater Treatment**. At a minimum, wastewater treatment shall meet the requirements of Article 5 of this ordinance. Alternative wastewater treatment systems that meet or exceed Tennessee Department of Environmental Conservation (TDEC) and Hamilton County requirements are encouraged.

(2) **Streets**. The design of streets within the TC district is crucial to the creation of a functional transportation system that comfortably and safely accommodates all modes of transportation.

(a) **Blocks**. Each development shall be internally connected by a clear pattern of streets that form blocks. No block face shall be more than six hundred (600) feet in length without a pedestrian passage providing through access, except where environmental conditions warrant longer blocks.

(b) **Dead end streets**. Dead-end and cul-de-sac streets should be avoided, except where topographic features or configuration of property boundaries prevent street connections. In such locations, dead-end streets shall be limited to one thousand five hundred (1,500) feet and designed to include an open space in the center of the turnaround.

(c) **Lighting**. Street lighting shall be pedestrian-scaled with a fixture mounting height of fifteen (15) feet minimum and twenty (20) feet maximum. Any luminaire emitting more than 1800 lumens shall be fully shielded so as to produce no light above a horizontal plane through the lowest direct light-emitting part of the luminaire.

(d) **Sidewalks**. Sidewalks are required on new streets according to the standards in (f) Street Types below. For lots with frontage on Taft Highway, pedestrian circulation shall be installed according to the policy in the Town of Walden Plan.

(e) **Street trees**. Trees shall be used as a design element to provide visual identity to a development, provide comfort for pedestrians, naturally calm traffic, and reinforce the overall street hierarchy.

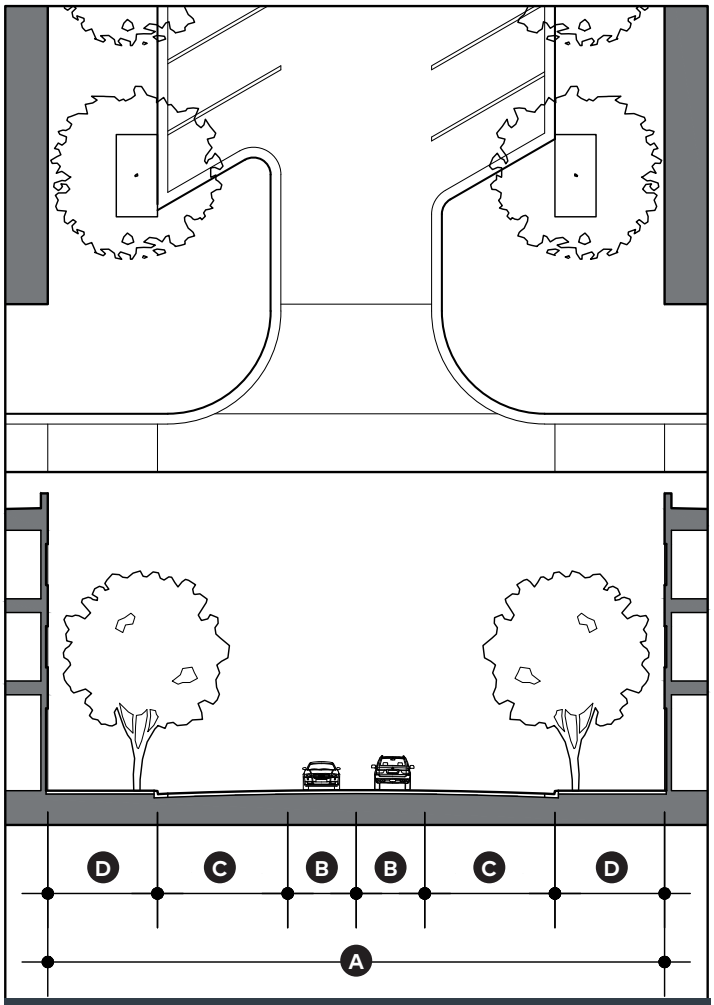
(1) Street trees shall be a single specimen along any one street and spaced thirty-five (35) feet maximum on center.

(2) Street trees shall have a two and one half (2 ½) inch caliper at installation and free of branches to a height of seven (7) to nine (9) feet.

(3) Trees should be selected to achieve a uniform streetscape, provide a broad canopy, prevent sidewalk damage, and conserve water. Native tree species are encouraged. Species with severe limb drop, heavy fruit or nut crops, invasive root systems, or allergen production should be avoided.

(4) Street trees shall maintain adequate sight distance at intersections to ensure safety.

(f) **Street Types**. The diagrams on the following pages establish the standards for various street types permitted by Sub-district as indicated.



Street 'A' (ST-82-58)

A street intended to serve intense commercial and mixed-use development with significant on-street parking opportunities in form of diagonal parking. This street includes wide pedestrian ways and consistent streetscape.

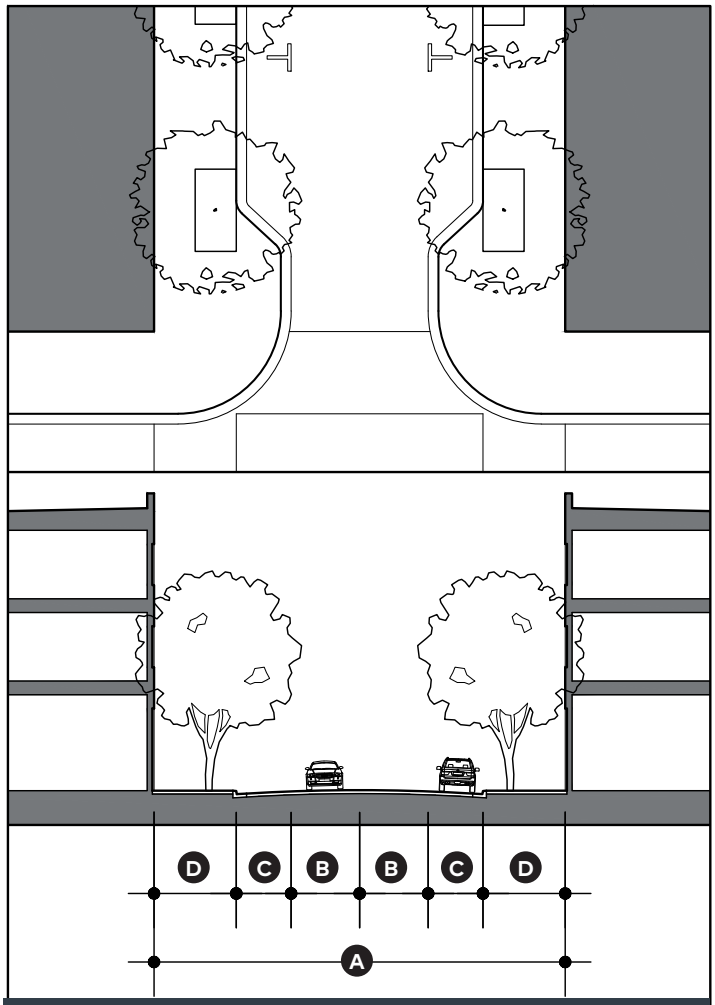
Permitted in Sub-district(s):

TC-1

Section Component:	Width	
Right-Of-Way:	90 ft.	A
Travel Lane(s):	11 ft.	B
45 deg. Diagonal Parking w/bulb-outs:	18 ft.	C
Sidewalk w/ Planters:	12 ft. min.	D
Drainage:	Curb and gutter	

Planters/Planting Strip

Planting strips shall be composed of trees in grates, wells, or planters. Planting strips shall not contain turf grass. While the street trees are the only plant materials required in the planting strip, low-growing shrubs and groundcovers are also encouraged within wells and planters.



Street 'B' (ST-60-36)

A street intended to serve moderate commercial and mixed-use development with on-street parking opportunities in the form of parallel parking.

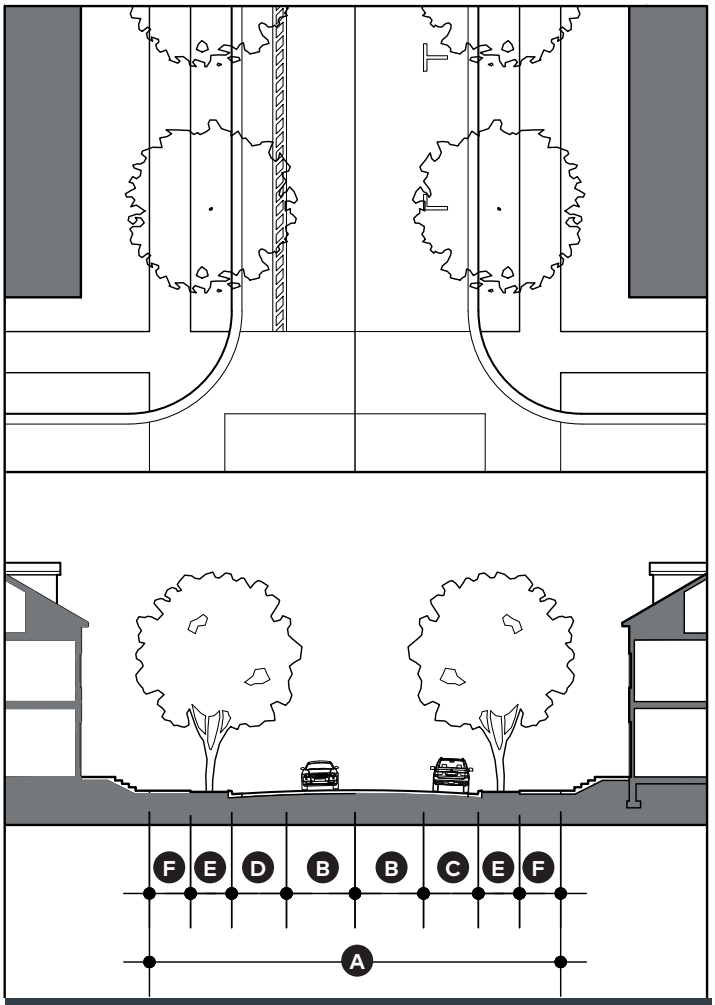
Permitted in Sub-district(s):

TC-1

Section Component:	Width	
Right-Of-Way:	60 ft.	A
Travel Lane(s):	10 ft.	B
Parallel Parking w/bulb-outs:	8 ft.	C
Sidewalk w/ Planters:	12 ft. min.	D
Drainage:	Curb and gutter	

Planters/Planting Strip

Planting strips shall be composed of trees in grates, wells, or planters. Planting strips shall not contain turf grass. While the street trees are the only plant materials required in the planting strip, low-growing shrubs and groundcovers are also encouraged within wells and planters.



Street 'C' (ST-60-36)

A street intended to serve residential development with two options for the edge of the travelway. One provides for a buffered bicycle lanes and the other option provides dedicated on-street parallel parking.

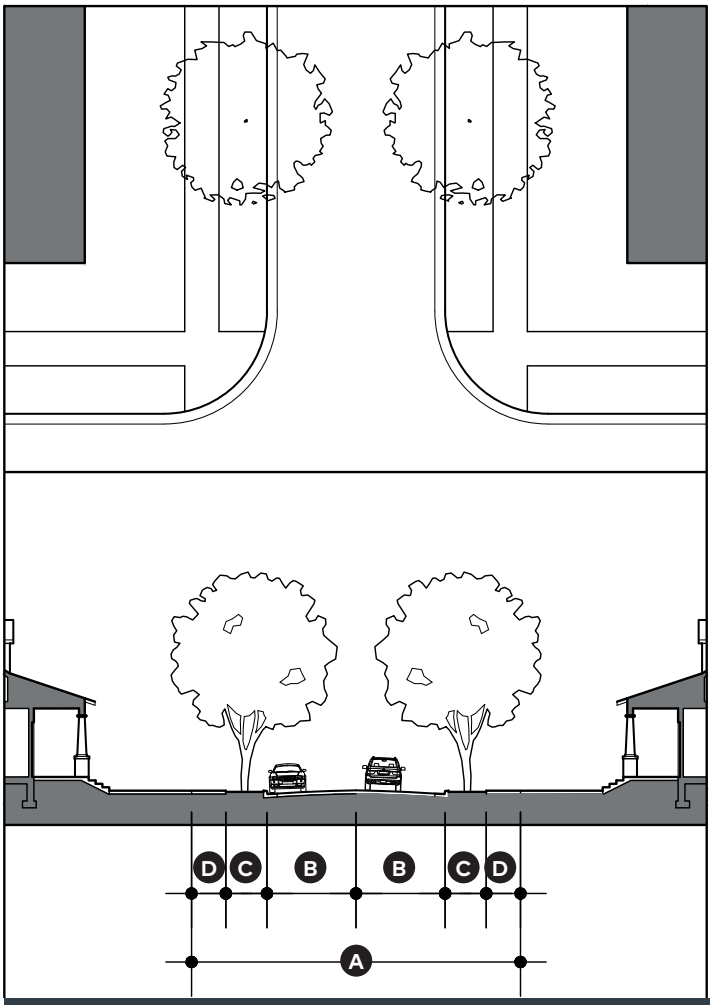
Permitted in Sub-district(s):

Both

Section Component:	Width	
Right-Of-Way:	60 ft.	A
Travel Lane(s):	10 ft.	B
Parallel Parking (option A):	8 ft.	C
Bicycle Lane and Buffer (option B):	8 ft.	D
Continuous Planting Strip:	6 ft.	E
Sidewalk:	6 ft.	F
Drainage:	Curb and gutter	

Planters/Planting Strip

Planting strips shall be continuous and composed of turf grass, low shrubs, perennials, or groundcover plantings



Street 'D' (ST-50-26)

A street intended to serve low intensity residential development. On-street parking is not formalized in this street type. The street functions more as a yield street where cars may be forced to slow as they pass one another.

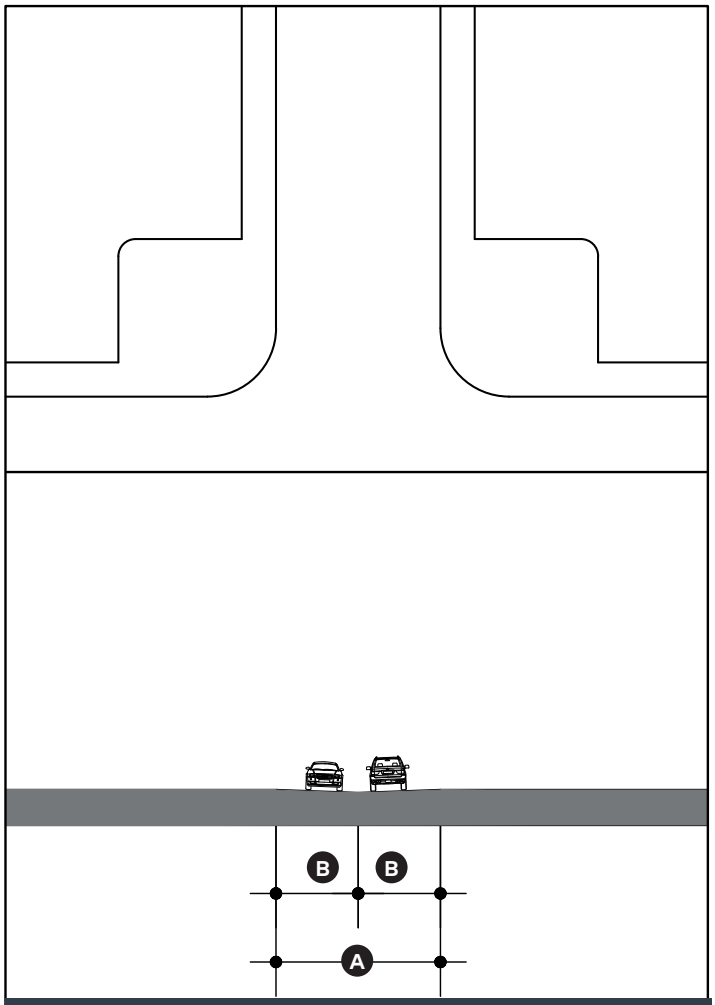
Permitted in Sub-district(s):

TC-2

Section Component:	Width	
Right-Of-Way:	50 ft.	A
Travel Lane(s):	13 ft.	B
Parallel Parking:	informal or striped one side	
Continuous Planting Strip::	7 ft.	C
Sidewalk:	5 ft.	D
Drainage:	Curb and gutter	

Planters/Planting Strip

Planting strips shall be continuous and composed of turf grass, low shrubs, perennials, or groundcover plantings

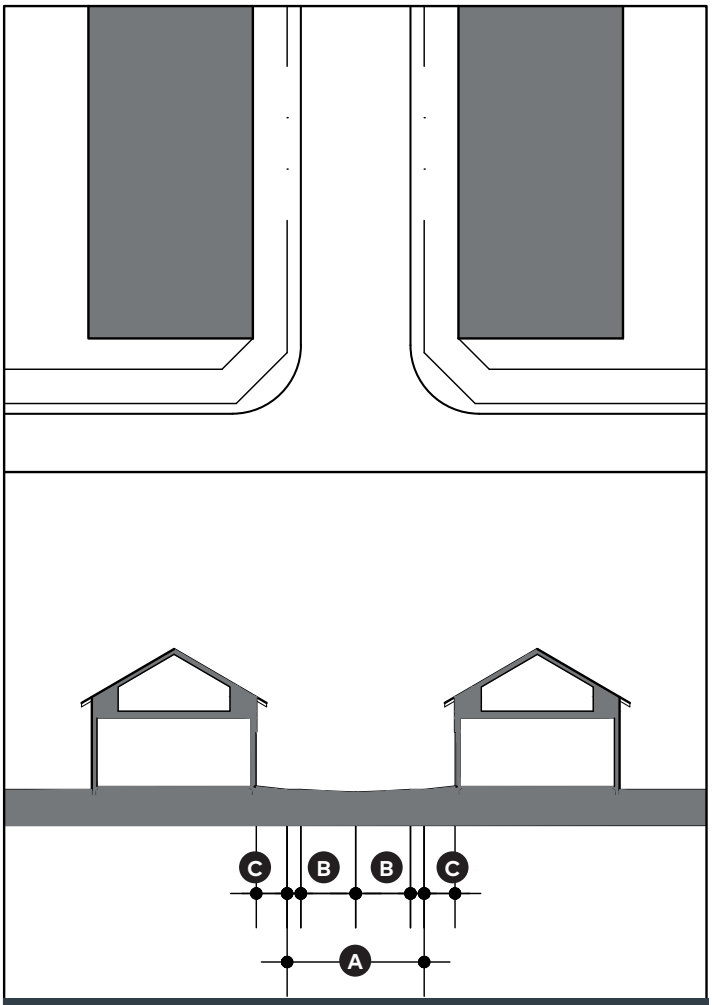


Alley 'A' (AL-22-22)

A rear service road intended to serve commercial and mixed-use development. It features a wider travelway for larger vehicles and two-way movement.

Permitted in Sub-district(s):
TC-1

Section Component:	Width	
Right-Of-Way:	22 ft.	A
Travel Lane(s):	11 ft.	B
Drainage:	Center	



Alley 'B' (AL-20-16)

A rear service road intended to serve moderate and low intensity residential development. The proposed section anticipates full pavement width; however, a ribbon alley with a center grass strip may be considered for alleys with low traffic volumes serving single-family detached residential.

Permitted in Sub-district(s):
TC-2

Section Component:	Width	
Right-Of-Way:	20 ft.	A
Travel Lane(s):	8 ft.	B
Shoulder:	2 ft.	C
Drainage:	Center	

(3) **Open Space**. Usable open space is important to provide outdoor areas for passive and active uses that meet the needs of residents, tenants, employees, customers, and visitors. Usable open space is essentially land on a developed site that is set aside, dedicated, designated, or reserved for active or passive recreation, for the use and enjoyment of owners or occupants.

(a) **Preservation of Sensitive Natural Features**

(1) To the maximum extent practicable, sensitive environmental features of a site shall be protected. Steep slopes shall follow the provisions of Article 6.

(2) The developer and property owner shall be responsible for the erection and maintenance of barriers necessary to protect any existing or installed vegetation from damage both during and after construction.

(b) **Required Open Space**

(1) A minimum of fifty percent (50%) of the gross land area shall be set aside for natural open space in developments greater than five (5) acres.

(2) A minimum of five percent (5%) of the gross land area shall be set aside for formal or informal usable open space in all developments.

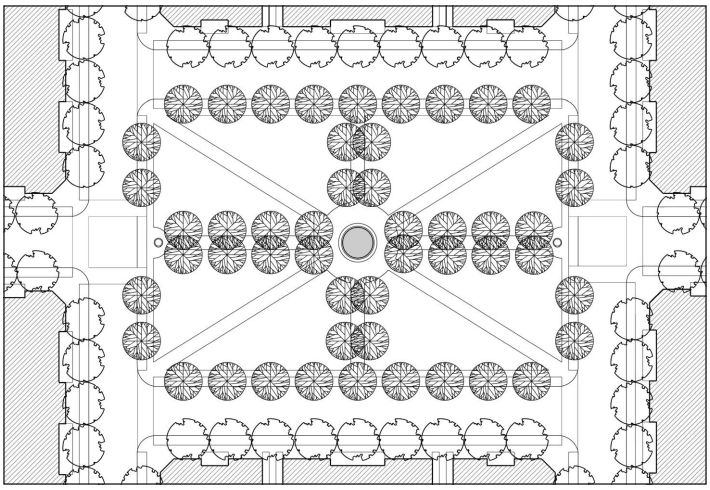
(c) **Location**. Where location is not dictated by site geography, open space shall be allocated in a location that is readily accessible and useable by residents and users of the development. Where possible, a portion of the open space should provide focal points for the development. These open spaces should be designed to serve as central gathering points for residents within the development.

(d) **Ownership and Maintenance**. Open spaces shall be owned and maintained as permanent open space by a homeowner's association, property owners' association, private ownership with conservation easement, or public ownership when dedicated to and accepted by the Town of Walden or another appropriate public agency.

(e) **Open Space Types**. Standards for the types of open spaces permitted are established according to type on the following pages.

Figure 4.05-D Open Space Types

SQUARE



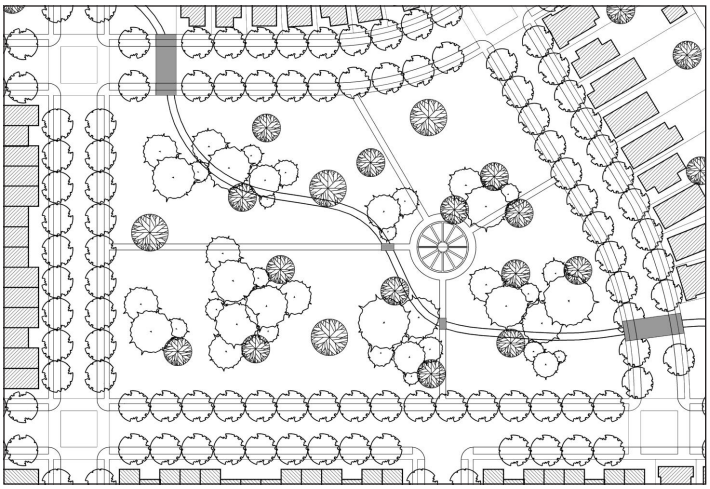
A Square is a formal open space that is composed of landscaped areas and is fronted on all sides by buildings that should contain commercial uses on the ground floor. The Town of Walden Plan envisions a square as a central focal point for the community.

Min. Size: 5,000 sf

Max. Size: 40,000 sf

Sub-districts: TC-1

GREEN



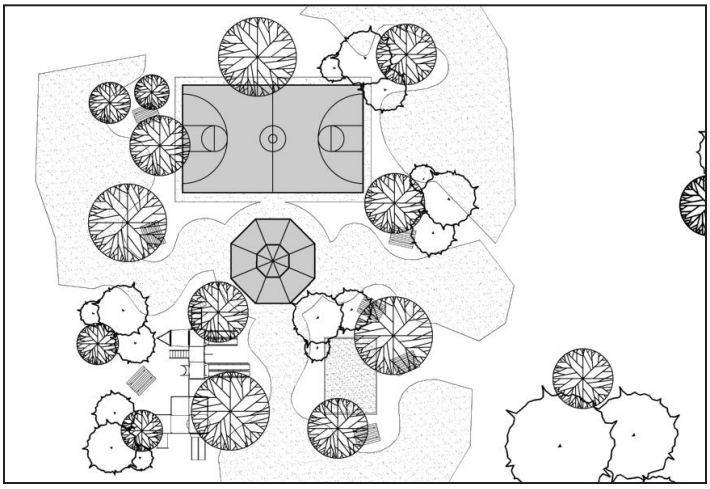
A Green is a medium-sized formal or informal open space for unstructured recreation with residential buildings fronting all sides. Greens are composed of paved or unpaved walks; grassy areas; and shade trees.

Min. Size: 10,000 sf

Max. Size: 5 ac.

Sub-districts: Both

PLAYGROUND



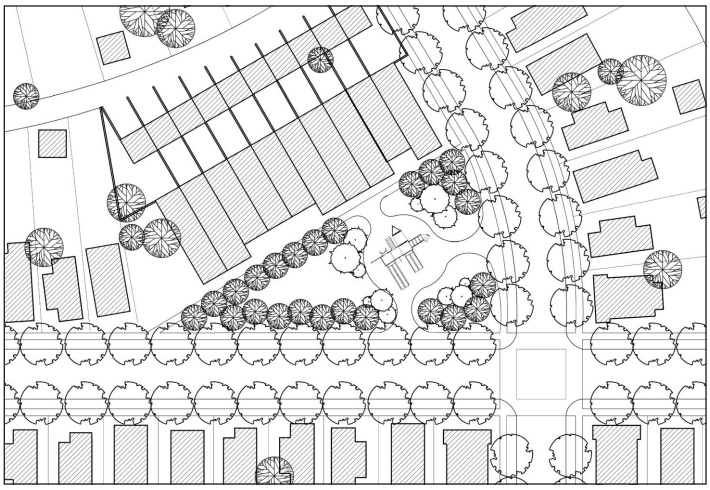
A playground is a formal or informal open space that accommodates recreational equipment for children. Playgrounds may be included within Greens and should contain an open shelter; paved areas for court games; and space for spontaneous play. Ideally, playgrounds should be located within one quarter mile of dwelling units.

Min. Size: none

Max. Size: 1 ac.

Sub-districts: Both

POCKET PARK



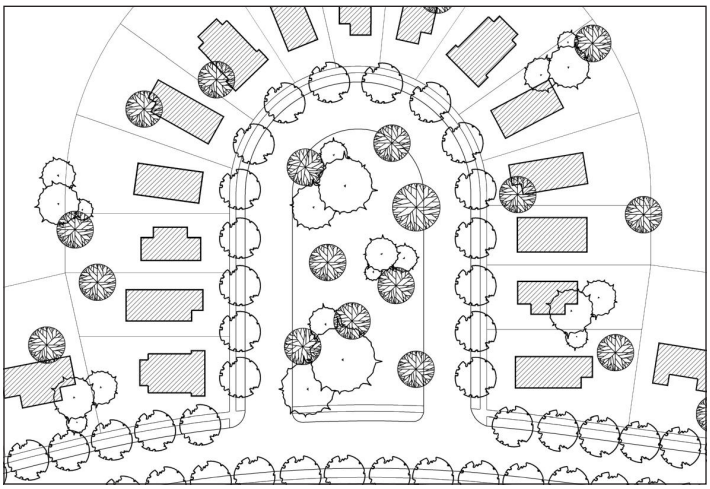
A Pocket Park is a formal or informal open space formed by the remaining space between streets, blocks, and buildings.

Min. Size: none

Max. Size: 1/2 block in length

Sub-districts: Both

CLOSE



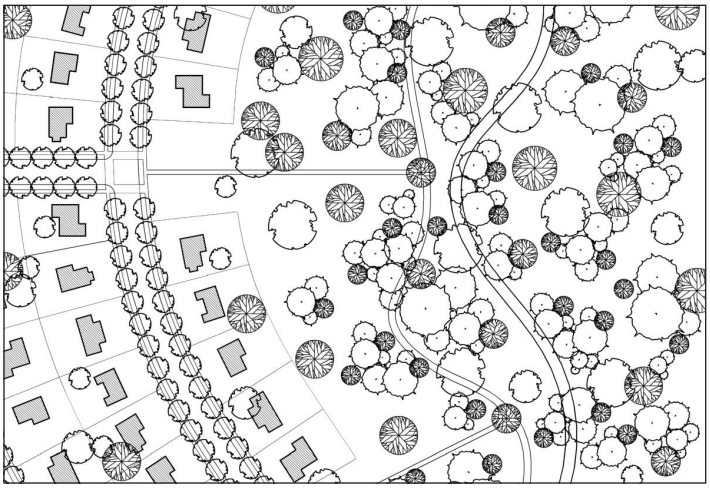
A Close is a dead-end street with open space in the center of the turnaround area. A Close is an acceptable alternative to a cul-de-sac when natural features require a dead-end street.

Min. Size: 100 ft. diameter

Max. Size: 1/2 ac.

Sub-districts: Both

GREENWAY/TRAIL



Greenway/Trail

A trail for recreation purposes along the edges of neighborhoods or natural areas such as rivers. Greenways are part of the open space network and provide a rural transportation network for pedestrians and cyclists.

Min. Size: none

Max. Size: none

Sub-districts: all

(4) **Buildings and Lots**. The placement, height, articulation, and transparency of buildings is important in creating the physical environment for an active, pedestrian-friendly Town Center.

(a) **Guidance for Development on Sloping Lots**

(1) Uphill Lots. Utilize a series of small retaining walls to create terraces. Some variation in required setbacks may be permitted to accommodate steeper slopes.

(2) Downhill Lots. Avoid allowing the main level of the building to be greater than two (2) feet below the sidewalk. Some variation in required setbacks may be permitted to accommodate steeper slopes.

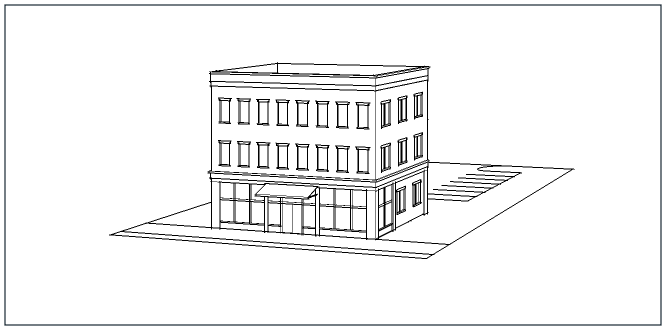
(3) Lots Sloping Along Frontage. In general, mass grading of building sites shall be avoided to minimize large expanses of blank wall at street level. Buildings should step with the sloping grade when possible. Multiple entrances may be necessary for longer building facades to provide zero-step entries where required by building or accessibility codes.

(b) **Building Types**. Multiple building types are permitted within each Sub-district. To ensure a mixture of building types, minimum and maximum percentages of total building area for non-residential uses and number of units for residential uses are included for each Sub-district.

(c) The following is a description of each type with guidance on form and use.

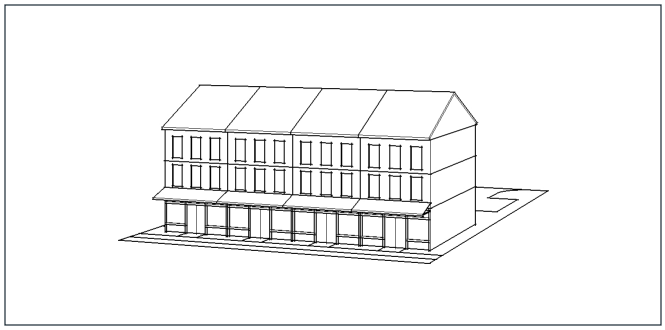
Figure 4.05-C Building Types

MIXED-USE/COMMERCIAL



A building with a limited or no front yard that has commercial use(s) on the ground floor and may have residential and non-residential uses on upper floors. Parking is located behind or below the building in a surface lot or structure.

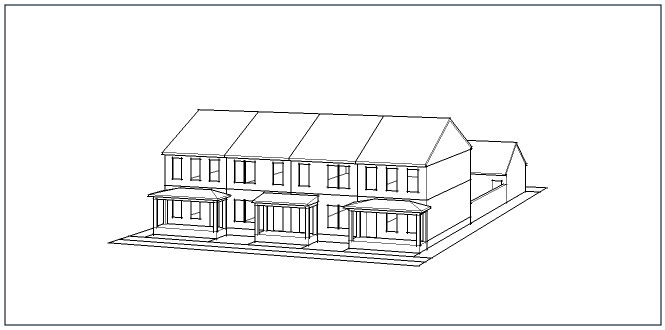
LIVE/WORK TOWNHOUSE



A dwelling attached on one or two sides with flexible space for a non-residential use on the ground floor. Live/Work Townhouses have a very shallow front yard and a parking area or garage at the rear of the lot.

Massing, Main Body: 20 ft. w. min./35 ft. w. max.

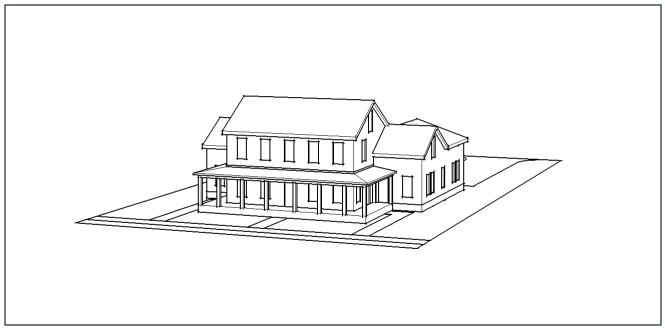
TOWNHOUSE



A dwelling facing a street or courtyard and attached on one or two sides. Units typically have a shallow front yard and private courtyard between the rear of the unit and the parking area or garage at the rear of the lot.

Massing, Main Body: 18 ft. w. min./35 ft. w. max.

MANSION FLATS



A detached multi-family dwelling, of up to 8 units, on a single lot with a parking area or garage at the back of the lot. Mansion Flats are designed to resemble a large, single-family structure.

Massing, Main Body: 45 ft. w./50 ft. d. max.
Massing, Front/Side Wings: 30 ft. w./40 ft. d. max.

COTTAGE OR TOWNHOUSE COURT

Detached or attached single-family dwellings on a single lot or multiple lots arranged around a landscaped courtyard with a parking area or garages at the rear of the lot or on an adjacent lot.

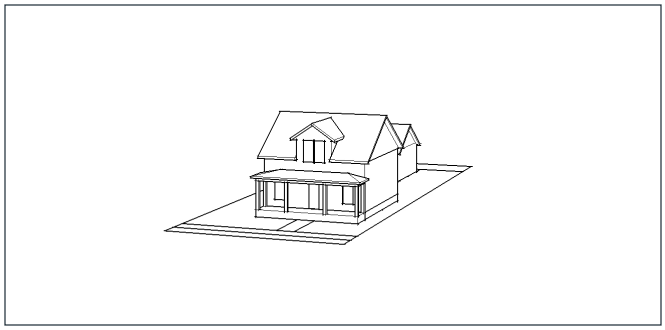
Massing, Main Body:	40 ft. w./50 ft. d. max.
Massing, Front/Side Wings:	30 ft. w./15 ft. d. max.
Courtyard width:	20 ft. min.

TWO-FAMILY HOUSE

A detached two-family dwelling on a single lot with a parking area or garage at the rear of the lot. Ideally, duplexes are designed to resemble a single-family structure.

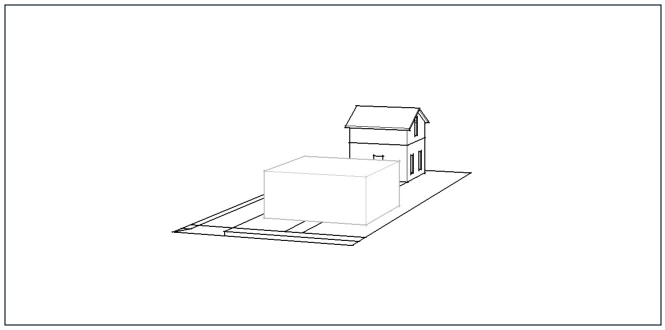
Massing, Main Body:	50 ft. w. max.
Massing, Front/Side Wings:	30 ft. w. max.

HOUSE



A detached single-family dwelling on a medium-size lot with access from its fronting street and parking recessed behind the front facade.

ACCESSORY DWELLING UNIT



A separate additional living unit, including separate kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit, on a single-family lot.

Massing:	30 ft. max. w. and d.
ADU size:	700 sf max.

(d) **Lots**

(1) Lots shall front on a public street, private street built to public standard, or a designated public or private open space.

(2) Lot coverage requirements by Sub-district include buildings and paved areas such as driveways, surface parking, uncovered porches, stoops, patios, decks, and swimming pools.

(e) **Building Placement**. Setbacks are measured at a right angle from the adjacent property line

(f) **Building Height**

(1) The height requirements by Sub-district shall be measured in stories and feet. Measurement in feet shall be the vertical distance from the average elevation of natural grade along the minimum primary street building setback to the bottom of the eave on a sloped roof or the highest point of the roof surface of a flat roof not including a parapet.

(2) Where a lot slopes down from the primary street a minimum of ten (10) feet vertically, one additional story is allowed beyond the maximum number of stories as applicable by sub-district.

(3) Non-occupiable roof elements such as spires, cupolas, water towers, and similar structures may exceed the maximum height requirements by twenty percent (20%) if set back from building facades a minimum of ten (10) feet.

(4) Chimneys, flagpoles, skylights, parapets, and similar structures may exceed the maximum height requirements by six (6) feet.

(5) Stairways to the roof; rooftop shade structures, elevator penthouses; and rooftop mechanical equipment may exceed the maximum height requirement by ten (10) feet if set back from building facades a minimum of ten (10) feet.

(6) Minimum story height requirements shall be measured from the top of the finished floor to the ceiling above.

(7) Minimum raised foundation requirements shall be measured from the top of the adjacent curb or, if no curb exists, the crown of the adjacent street to the top of the finished floor of the ground level.

(g) **Building Articulation**. Articulation requirements by Sub-district shall be met in one or more of the following methods:

- Facade offset with a minimum depth of two (2) feet that extends to within two (2) feet of the full height of the facade.
- Facade projection or recession with a minimum depth of four (4) inches and a minimum width of one (1) foot that extends the full height of the first story of the facade.
- Variation in building or parapet height of a minimum two (2) feet for single story buildings and four (4) feet for buildings with two or more stories.
- The use of multiple roof forms to create the effect of different building components.

(h) **Building Transparency**. Transparency requirements per Sub-district shall be measured by dividing the area of windows and doors by the total facade area of a street-facing story.

(5) **Architectural Design**. There is no mandated architectural style, however, it is the intent of this Section to encourage applicants to embrace the mountain aesthetic of Walden's historic architecture. Walden's historic architecture features a variety of materials including stone, wood siding and shingles, and brick on certain civic buildings. Windows are typically vertical or square in proportion and, in some instances, are ganged together in a horizontal. Roofs are typically gabled or hipped with rustic details such as exposed rafters.

(a) **General**

(1) The standards in this Section applies to facades of all development, with the exception of one and two-family dwellings, that face a street (public or private) or usable open space (i.e. primary facades) and side facades (i.e. secondary facades) for a minimum depth of 20 feet, unless otherwise stated.

(2) Buildings shall be oriented so that a primary entrance(s) faces the primary street or public open space.

(3) Buildings shall be generally built parallel to the street frontage. If the street frontage is not straight, facades shall be generally built tangent to the street frontage. This standard may be waived in situations where the side lot lines are not perpendicular to the front property line.

(4) Buildings shall have simple massing to clearly distinguish the main body of the building from side or rear wings

(5) Primary facades shall be composed so that the rhythm of ground floor attachments and openings harmonizes with the rhythm of attachments and openings on upper stories.

(6) Buildings and related elements shall be arranged in a manner to indicate the pattern of base, body or shaft, and cap.

(7) Buildings on corner lots, shall address both streets with windows, doors, porches, or bay windows. For this standard, an alley is not a street.

(b) **Facades**. Standards in this Section refer to the vertical faces, or facades, of buildings.

(1) Building material standards by Sub-district apply to the entire area of primary facades and secondary facades.

(2) Building facades shall be built of no more than two primary materials, excluding accent materials, and shall only change material along a horizontal line (with the lighter material above the heavier material), outside corners (where material wraps the corner a minimum of 2 feet), or inside corners.

(3) Materials, other than masonry, shall be painted, stained, or have a factory-applied finish.

(c) **Openings**. Standards in this Section refer to doors, windows, and other elements related to openings in a façade.

(1) Openings, including dormers, should be centered vertically with other openings or shall be centered with the wall between openings.

(2) Storefronts shall have a minimum height above the sidewalk of 10 ft. It is encouraged that storefront design be inspired by the historic downtown storefronts found in other small towns.

(3) Except for transoms and decorative windows, windows shall be square or vertically proportioned and rectangular in shape. The grouping of individual windows to form a horizontal band is permitted if individual windows are separated with a mullion of at least three (3) inches.

(4) Window muntins, if included, shall be simulated divided lites fixed on the interior and exterior surfaces and shall create panes of square or vertical proportion (as tall as wide or taller than wide).

(5) Transoms may be oriented horizontally with panes that match other opening configurations. Transoms may be awning, hopper, or fixed type.

(6) Shutters shall be the same height as the window, and half the width of the window. Small windows may have one shutter that is

the full width of the window. Shutters shall be operable or designed and installed as if they were operable including hardware.

(d) **Roofs**

(1) Principal building roofs, if sloped, shall be symmetrical.

(2) The ridge of the building roof should generally be oriented either parallel to or perpendicular to the street.

(3) All gable and hipped roofs of a building, excluding ancillary roofs, should generally have the same slope where visible from a street or open space.

(4) Flat roofs shall have parapet walls on facades that face or are visible from a public street, private street, or open space. The primary material used on parapets shall match the material of its associated facade.

(5) Dormers should light attic spaces and must be placed a minimum distance of 3 feet from side building walls.

(e) **Attachments**. Attachments are elements, excluding signage, attached to the facades of buildings.

(1) **Awnings and Canopies**

(a) Awnings/canopies shall have a minimum clear height above a sidewalk of nine (9) feet and a minimum depth of four (4) feet.

(b) Awnings and canopies shall not be internally illuminated.

(2) **Balconies**

(a) Balconies shall have a minimum clear height above a sidewalk of nine (9) feet and a minimum clear depth of four (4) feet.

(b) Balconies shall not be fully enclosed.

(3) **Bay Windows**. Bay windows shall have visible support, either by extending the bay to grade with a foundation or transferring the projection back to the wall with beams, brackets, or brick corbeling.

(4) **Chimneys**. Chimneys shall extend to grade.

(5) **Decks**. Decks should not be located on facades that face a street or public open space.

(6) **Porches**

(a) Porches shall have a minimum clear depth of six (6) feet excluding steps.

(b) Porches should have square or vertically proportioned openings.

(c) Porches may be enclosed with glass or screens; however, enclosures are not permitted on porches that face a street or public open space.

(d) Posts and columns shall generally include a base, shaft, and capital. The base of posts, columns, and pedestals shall generally align with the face of the foundation wall directly below. The outside face of porch beams shall generally align with the face of the top of the column.

(e) Railings shall have top and bottom rails.

(f) Porches may not encroach into a public right-of-way.

(7) **Stoops**

(a) Stoops shall have a minimum clear depth of four (4) feet.

(b) Stoops may not encroach into a public right-of-way.

(8) Attachments are not permitted to encroach across a lot line unless indicated by Sub-district.

(9) Where permitted, encroachments into a public right-of-way must be approved by the controlling authority.

(6) **Parking, Access, and Loading**. It is the intent of this section that parking, access, and loading should be incidental and secondary to buildings.

(a) Parking on a lot shall be located within the parking setbacks as established for each Sub-district.

(b) **Number of Spaces Required**

(1) Residential uses: one and one half (1.5) spaces per dwelling unit

(2) Non-residential uses: one (1) space per three thousand (3,000) square feet of gross floor area

(c) Required parking, except for required accessible spaces, may be located off-site, if located within six hundred (600) feet of the primary pedestrian entrance.

(d) On-street parking may be allowed to meet off-street parking requirements. An applicant may be credited with one or more legally permitted on-street parking spaces located on a public right-of-way or private street immediately adjacent to the subject lot's street frontage toward the required minimum off-street parking. The location and number of on-street parking spaces shall be identified on the submitted site plan.

(e) Sidewalks internal to a lot should be provided to connect adjacent buildings. Sidewalks shall have a minimum unobstructed pathway of five (5) feet and shall be connected to the public sidewalk system along streets.

(f) Access to parking areas shall be from the side or rear of lots when possible.

(g) Driveways shall have a maximum width of twenty-four (24) feet.

(h) Where loading facilities are provided, they must be located, and accessed from, the rear and/or alley side of buildings. Loading facilities should be located to minimize the impact on adjacent residential development.

(7) **Landscaping and Screening**. The landscaping and screening standards in this Section are intended to soften the visual impact of new development and provide a greater level of comfort for pedestrians.

(a) Plant materials should be native, drought-tolerant species. Invasive plant species are prohibited.

(b) Retaining walls shall be constructed of or clad in brick, stone, or stucco.

(c) Decorative walls and fences shall be of a material similar to the facade material of the principal building on the lot.

(d) **Parking Lot Landscaping**

(1) Surface parking lots shall be designed so that no parking space is more than 80 ft. from a tree. The ends of interior parking bays with a minimum of 12 spaces shall be bordered with landscape islands. The ends of perimeter parking bays shall be bordered by landscape peninsulas. Each landscape island should contain a minimum of one (1) shade tree with a caliper of two and one half (2 ½) inches at installation.

(2) Surface parking lots shall be screened from view of all streets, other than alleys. Screening shall have a minimum height of three (3) feet and a maximum height of four (4) feet above adjacent grade. Screening shall, at a minimum, consist of a compact row of native evergreen shrubs spaced to ensure enclosure at maturity; an architecturally compatible opaque wall or fence, or a combination of both. If vegetation alone is used, the planting bed shall be five (5) feet minimum in width. Vegetation shall not extend into the sight triangle of any street or driveway intersection

(e) All outdoor equipment, such as heating, cooling, and ventilation systems, utility meters and panels, shall be placed on the rear-facing side of the roof, in the rear or side of the building, or otherwise visually screened from the street. In no case shall mechanical equipment be allowed along street frontage(s). Mechanical equipment on the roof shall be screened from abutting streets with parapets or other types of visual screening.

(f) Dumpsters shall be located to the rear of buildings and screened on at least three sides from public view by an opaque impact-resistant fence or wall of sufficient height to screen the dumpster.

(g) Where loading facilities are located adjacent to residential development, they shall be screened year round.

(8) **Signage**

(a) Billboards are prohibited.

(b) The following signs are exempt from review:

(1) Signs required for legal notices and other official instruments;

(2) Flags and insignias of governmental, religious, charitable or fraternal organizations with an area of less than fifty (50) square feet and mounted on a single pole;

(3) Decorative flags and bunting as authorized by the Town for town-wide celebrations;

(4) Memorial signs, tablets or cornerstones, names of buildings and dates of erection when included as an integral part of the building;

(5) Directional signs and symbols used solely for the purpose of traffic or pedestrian direction and placed on the property to which the public is directed; and

(6) Holiday lights and decorations during customary holiday periods.

(c) The following temporary signs are permitted:

(1) Signs for political purpose, which shall be removed within fourteen (14) days after an election;

(2) Special event signs erected no sooner than fourteen (14) days before the event, and removed within seven (7) days after the event;

(3) Signs to indicate the opening of a new business, change of use, or going out of business sale displayed within the first sixty (60) days the occupancy is open or the last ninety (90) days before closing;

(4) Signs announcing construction not exceeding thirty-two (32) square feet and ten (10) feet in height; and

(5) Signs announcing real estate availability.

(d) **Nonconforming Signs**

(1) An existing sign may remain exempt from full compliance with the provisions of this Section provided the sign is maintained in good condition at all times and is not abandoned.

(2) An existing sign shall be brought into compliance with the provisions of this Section, if at any time the sign is altered, repaired, restored or rebuilt to the extent that the cost exceeds fifty percent (50%) of the estimated replacement cost of the sign (in current dollar value). If the alteration or repair is caused by involuntary damage or casualty, this standard shall not apply, and the sign may be altered or repaired to any extent.

(e) Any combination of Awning, Canopy, or Wall signs shall be limited to two (2) signs per tenant space on a primary facade with one additional sign permitted on a secondary facade.

(f) **Awning Signs**

(1) Awning signs shall have a maximum height of two (2) feet and a maximum area of sixteen (16) square feet.
(2) Awning signs shall be limited to awnings above ground story windows and doors.
(3) Awning signs shall not be internally illuminated.

(g) **Canopy Signs**
(1) Canopy signs shall have a maximum height of two (2) feet and a maximum area of sixteen (16) square feet.
(2) Canopy signs shall not extend beyond the ends of the canopy.
(3) Canopy signs shall be limited to one (1) sign per canopy.
(4) Canopy signs may be internally or externally illuminated.

(h) **Ground-mounted Signs**
(1) Ground-mounted signs shall be limited to one sign per lot frontage.
(2) Ground-mounted signs shall have a maximum height of ten (10) feet; a maximum depth of two (2) feet; and a maximum area of eighty (80) square feet. The base of a ground-mounted sign shall have a maximum height of two (2) feet.
(3) Ground-mounted signs shall set back a minimum of five (5) feet from the primary or secondary street lot line and a minimum of ten (10) feet from all other lot lines.
(4) Ground-mounted signs should be externally illuminated.

(i) **Projecting Signs**
(1) Projecting signs shall have a maximum height of three (3) feet; a maximum projecting width of four (4) feet; a maximum depth of six (6) inches; and a maximum area of nine (9) square feet. A projecting sign shall have a minimum of six (6) inches and a maximum of twelve (12) inches of space between facade and sign.
(2) Projecting signs shall be limited to one (1) sign per tenant space.
(3) Projecting signs shall be located between ground story window and door heads and second story window sills. In single story buildings, projecting signs shall not extend above roof eaves on a sloped roof or above the surface of a flat roof.
(4) Projecting signs shall not be internally illuminated.

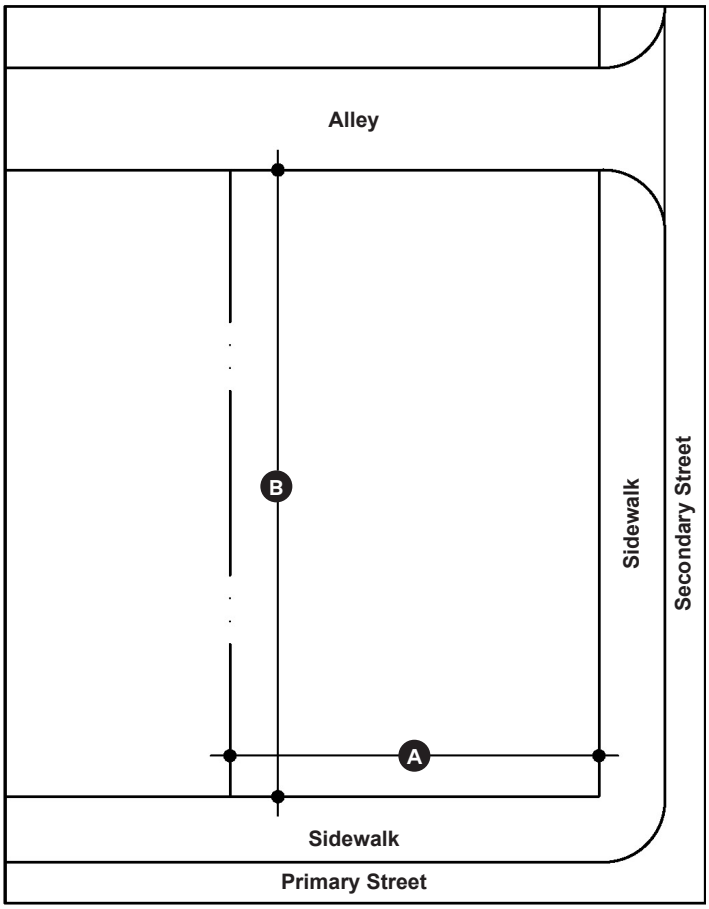
(j) **Wall Signs**
(1) Wall signs shall have a maximum depth of one (1) foot and a maximum area of thirty-two (32) square feet.
(2) Wall signs shall not extend above roof eaves on a sloped roof or above the parapet on flat roofs.
(3) Wall signs shall not cover windows or doors.
(4) Wall signs may be internally or externally illuminated.

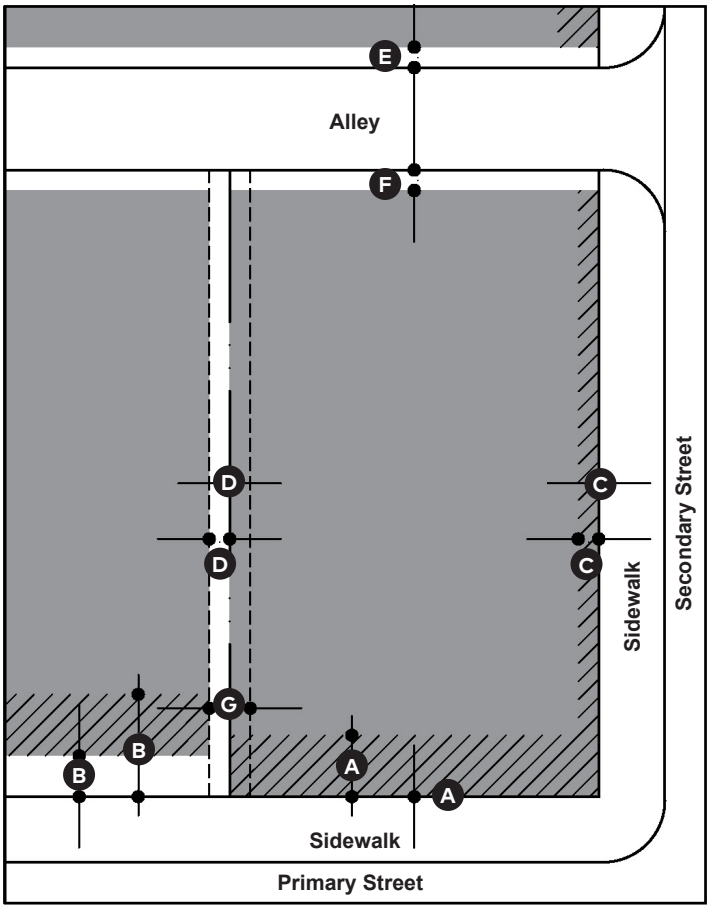
(k) **Window Signs**
(1) Window signs shall be limited to ground story windows and doors.
(2) Window signs shall not cover more than twenty percent (20%) of ground story windows and doors.

(j) **STANDARDS SPECIFIC TO TC-1 AND TC-2**

The diagrams on the following pages establish dimensional and other standards specific to the Sub-districts.

TC-1





Building Envelope Facade Zone

LOT AND BUILDING TYPES

Lot Size by Building Type:	Width (A)	Depth (B)
Mixed-use/Commercial:	70 ft. min.	125 ft. min.
Live/Work Townhouse:	20 ft. min.	85 ft. min.
Townhouse:	20 ft. min.	85 ft. min.

Lot Coverage:	
Impervious Surface:	80% max.

Building Type:	% of Total Building Area/Units
Mixed-use/Commercial:	50% min./100% max.
Live/Work Townhouse:	No min./50% max.
Townhouse:	No min./50% max.

Building Footprint for Individual Buildings:

All Uses: Up to 5,000 sf by right. Greater than 5,000 sf by Special Use Permit.

Miscellaneous Lot and Building Type Standards:

a. Live/Work Townhouses and Townhouses shall have a maximum of 6 attached units before a 10 ft. min. separation between groups of units.

PLACEMENT

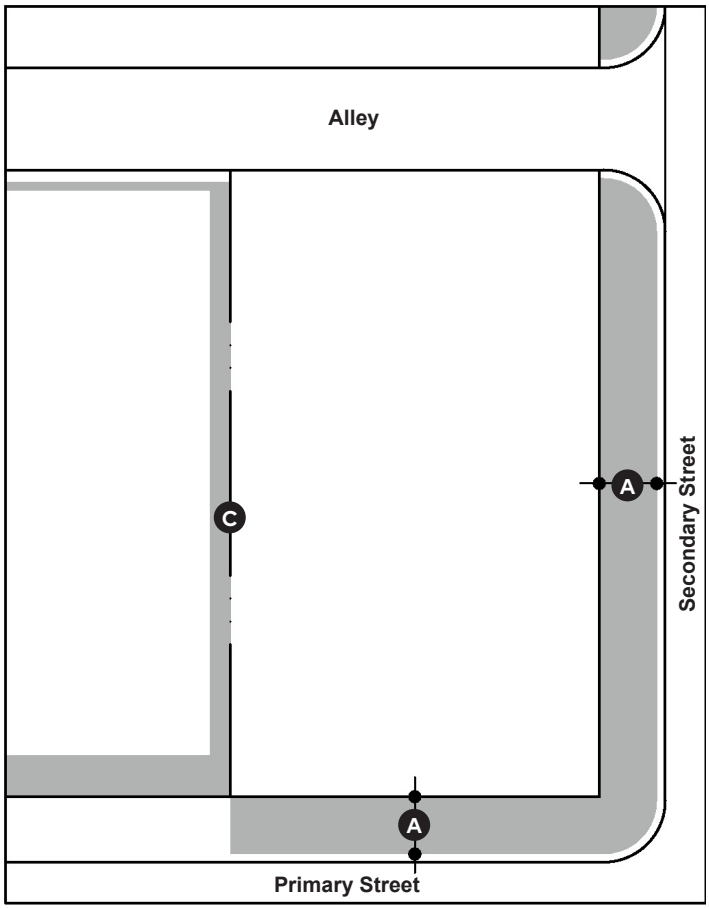
Build-to Zone and other Setbacks (from Lot Line):

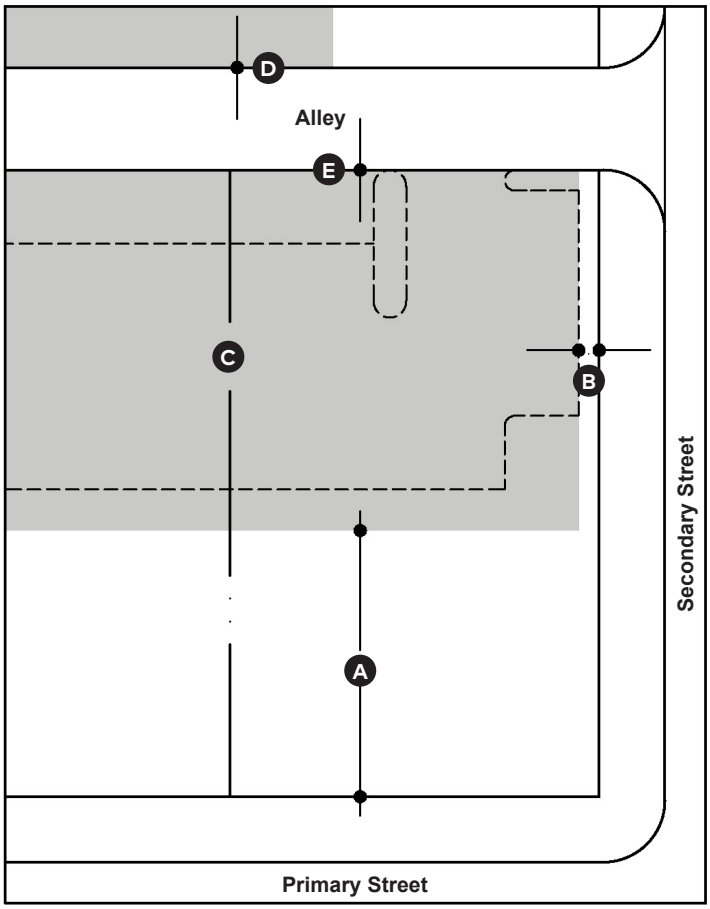
Principal Building:		
Mixed-use/Comm. Type Build-to:	0 ft. min./10 ft. max.	A
Mixed-use/Comm. Type Build-to from Existing Streets:	10 ft. min./30 ft. max.	A
Residential Type Build-to:	10 ft. min./20 ft. max.	B
Residential Type Build-to from Existing Streets:	20 ft. min./30 ft. max.	C
Secondary Street Build-to:	0 ft. min./10 ft. max.	
Frontage Buildout:	80% min.	D
Side Setback:		E
Lot:	0 ft. min./end units 5 ft. min.	E
Alley:	5 ft. min.	
Rear Setback:	5 ft. min.	
Accessory Building(s):		
Primary Street/Front Setback:	60 ft. min.	
Secondary Street Setback:	5 ft. min.	
Side Setback:	5 ft. min.	
Rear Setback:	5 ft. min.	

Miscellaneous Placement Standards:

a. A 10 ft. min. pedestrian passage is required at max. 300 ft. intervals to connect rear parking areas with sidewalk. Large footprint buildings are exempt from this standard. (G)

TC-1





Encroachment

Parking

FRONTAGE/ENCROACHMENTS

Encroachments Into Front Yards:

Primary Street:	10 ft. max.	A
Secondary Street:	10 ft. max.	B

Other Encroachments: A B C

Driveways/Walkways/Steps:	no max.
Overhangs/Chimneys:	2 ft. max. (end units)
Landscaping:	no max.
Fences/Walls:	no max.
Utilities/Equipment:	no max.

Miscellaneous:

a. Encroachments are not permitted across a Lot or R.O.W. line except as indicated.

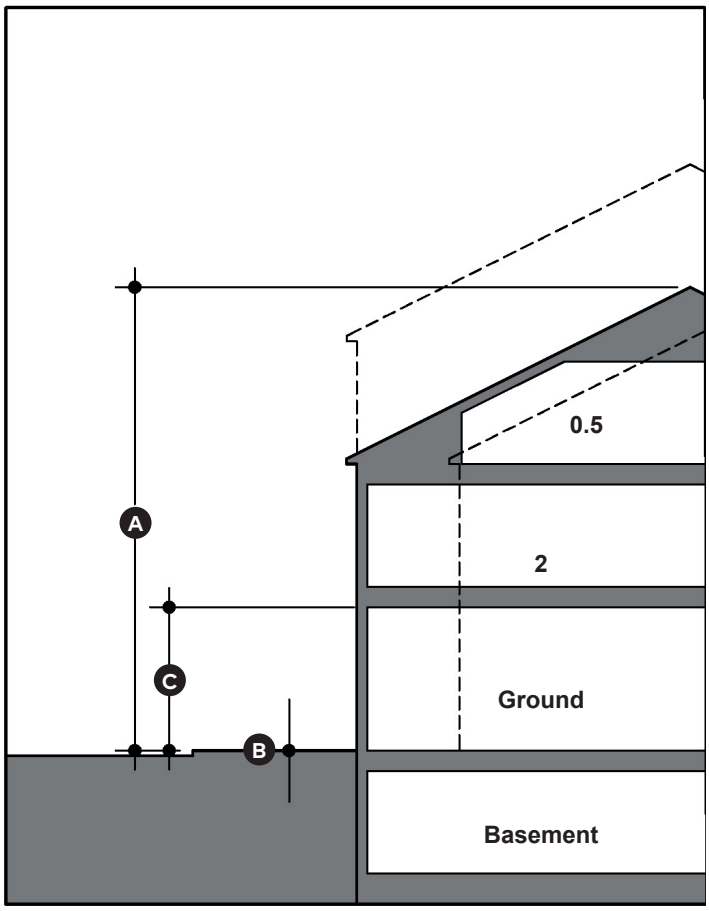
PARKING

Parking Setbacks:

Primary Street:	50 ft. min.	A
Secondary Street:	5 ft. min.	B
Side:		
Lot:	0 ft. min.	C
Alley:	0 ft. min.	D
Rear:	0 ft. min.	E

Miscellaneous:

a. Below grade parking may encroach to the lot line. Parking that is partially below grade may encroach to within 20 ft. of the lot line.
b. Parking located in an attached garage may encroach within 20 ft. of the front facade of the principal building.
c. Access shall be from a rear alley or secondary street and cross access between parking areas is required.



FORM

Height:

Principal Building:		A
Stories:	2.5 max.*	
To eave/parapet:	30 ft. max.*	
Overall:	40 ft. max.*	
Accessory Building:		
Other:	2 stories	
Raised foundation:		B
Mixed-use/Commercial Type	0 ft. min.	
Residential Type	1.5 ft. min.	
Ground floor ceiling:	14 ft. min.	C
Upper floor ceiling(s):	8 ft. min.	

*The Town Board may permit three (3) stories to accommodate topographic conditions or on key sites such as a terminated vista.

Articulation:

Building facades that face a street or open space shall not exceed 30 ft. in length without a building articulation intended to minimize the mass of the building.

Transparency:

Building facades that face a street or open space shall have a minimum transparency for each story as described below and consisting of shopfronts, doors, windows, or a combination thereof. Window and door glazing shall not be mirrored or heavily tinted to avoid obscuring visibility into the building.

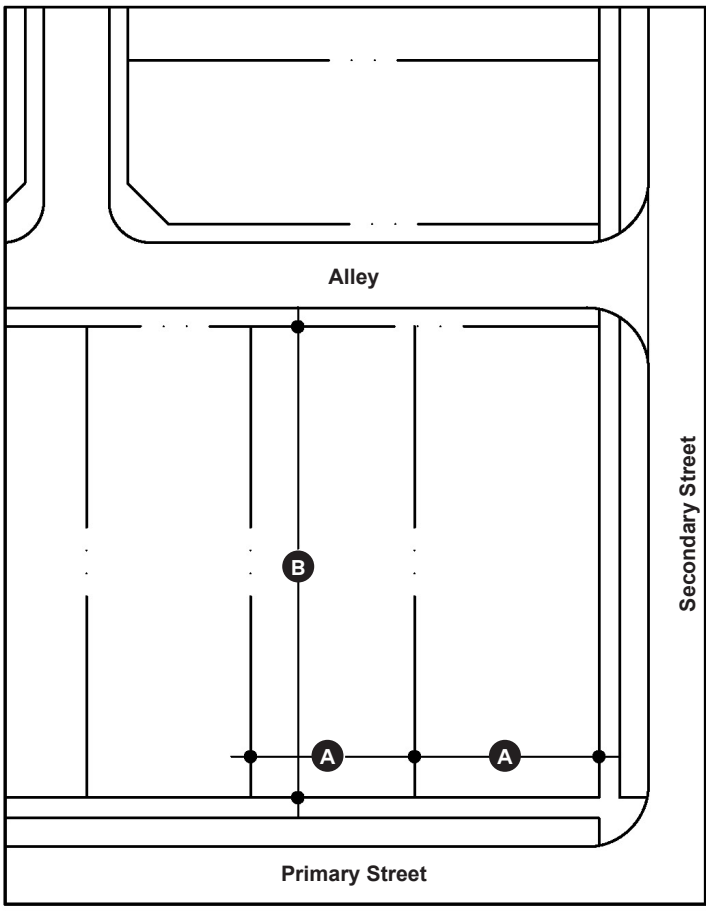
a. First story commercial uses shall have a minimum transparency as follows:
   i. For a building with a footprint of 5,000 sf and less: 60% transparency on facades facing primary streets
   ii. For a building with a footprint of greater than 5,000 sf: 20%
   iii. 20% on facades facing secondary streets.
b. First story residential uses shall have a minimum transparency of 20%.
c. Upper stories shall have a minimum transparency of 15%.

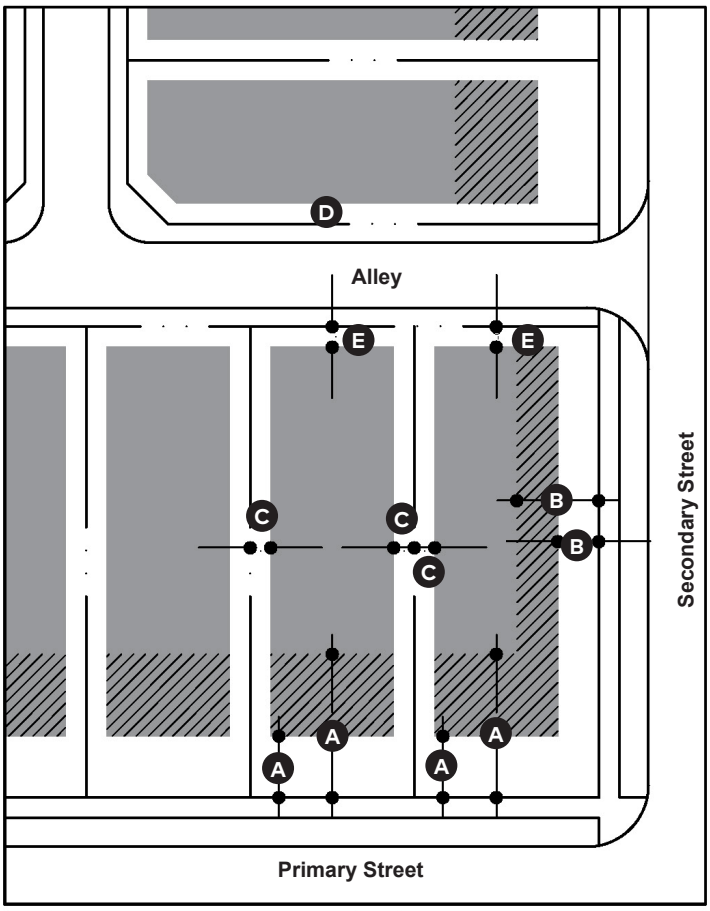
MISCELLANEOUS

a. Materials
   i. Primary Facade
   A minimum of 75% of the facade area, exclusive of openings, shall be brick, stone, cast stone, or stucco (authentic). A maximum of 25% of the facade area may be wood siding/shingles/trim, fiber cement siding/shingles/trim, composite siding, or EIFS (upper stories only).

   ii. Secondary Facade
   A minimum of 50% of the facade area, exclusive of openings, shall be brick, stone, cast stone, or stucco (authentic). A maximum of 50% of the facade area may be wood siding/shingles/trim, fiber cement siding/shingles/trim, composite siding, or EIFS (upper stories only).

TC-2





Building Envelope Facade Zone

LOT

Lot Size by Building Type:	Width (A)	Depth (B)
Townhouse:	20 ft. min.	60 ft. min.
Townhouse Court:	100 ft. min.	100 ft. min.
Mansion Flat:		
Two-family House:	50 ft. min.	100 ft. min.
Cottage Court:	100 ft. min.	100 ft. min.
House:	40 ft. min.	100 ft. min.
ADU:	NA	NA

Lot Coverage:	
Impervious Surface:	60% max.

Building Type:	% of Total Building Area/Units
Townhouse:	20% min./50% max.
Townhouse/Cottage Court:	No min./20% max.
Two-family House:	5% min./20% max.
Mansion Flat:	5% min./20% max.
House:	20% min./70% max.
ADU:	No min.

See additional notes under vi. Miscellaneous (p. 28)

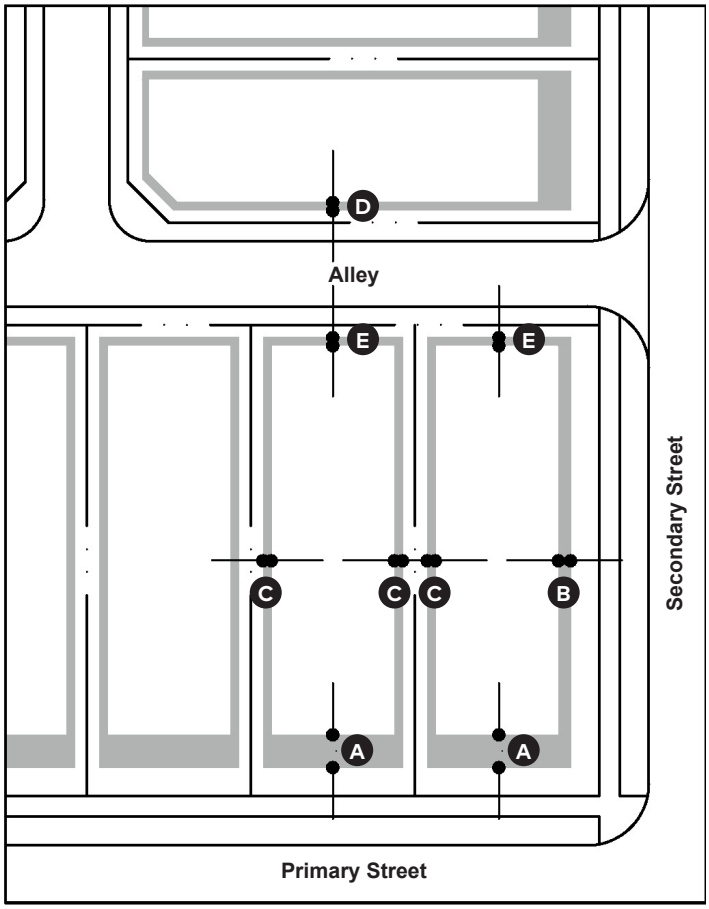
PLACEMENT

Build-to Zone and other Setbacks (from Lot Line):		
Principal Building:		
Primary Street/Front Build-to:	15 ft. min./30 ft. max.	A
Secondary Street Build-to:	10 ft. min./20 ft. max.	B
Frontage Buildout:	50% min.	
Side Setback:		
Lot:	5 ft. min.	C
Alley:	5 ft. min.	D
Rear Setback:	5 ft. min. or 15 ft.+	E
Accessory Building(s):		
Primary Street/Front Setback:	50 ft. min.	A
Secondary Street Setback:	5 ft. min.	B
Side Setback:	5 ft. min.	C D
Rear Setback:	5 ft. min.	E

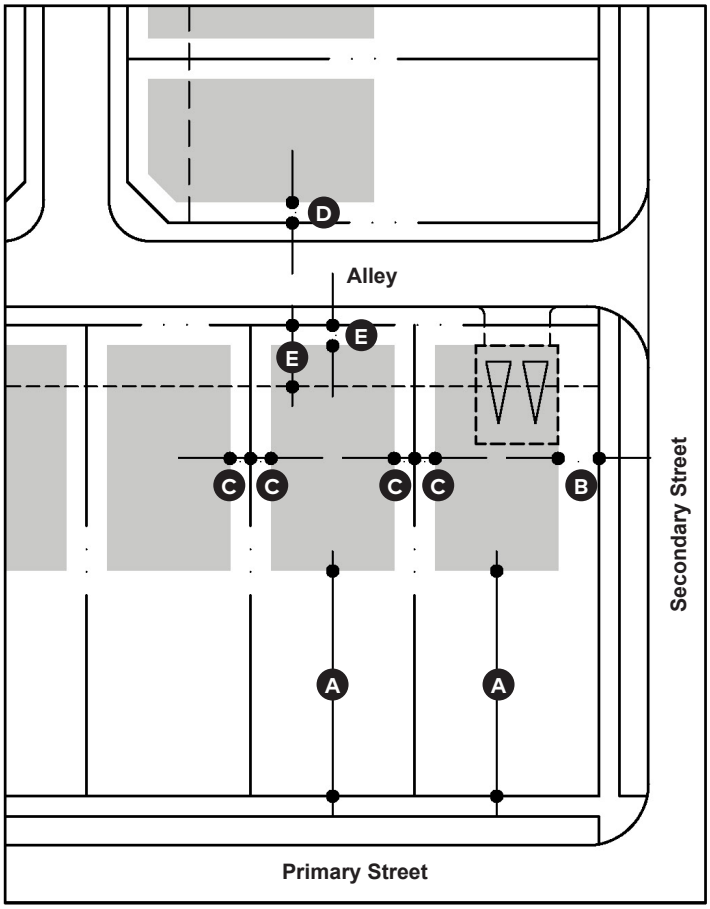
Miscellaneous:

a. For Townhouse/Cottage Court Types, front facades shall be 5 ft. min. and 15 ft. max. from edge of courtyard (including sidewalk) and 10 ft. min. between buildings.

TC-2



Encroachment



Parking

FRONTAGE/ENCROACHMENTS

Encroachments into Front Yards

Primary Street:	8 ft. max.	A
Secondary Street:	3 ft. max.	B

Other Encroachments: A B C D E

Driveways/Walkways/Steps:	no max.
Overhangs/Chimneys:	2 ft. max.
Bays:	3 ft. max.
Landscaping:	no max.
Fences/Walls:	no max.
Utilities/Equipment:	no max.

Miscellaneous:

a. Encroachments are not permitted across a Lot or R.O.W. line except as indicated.

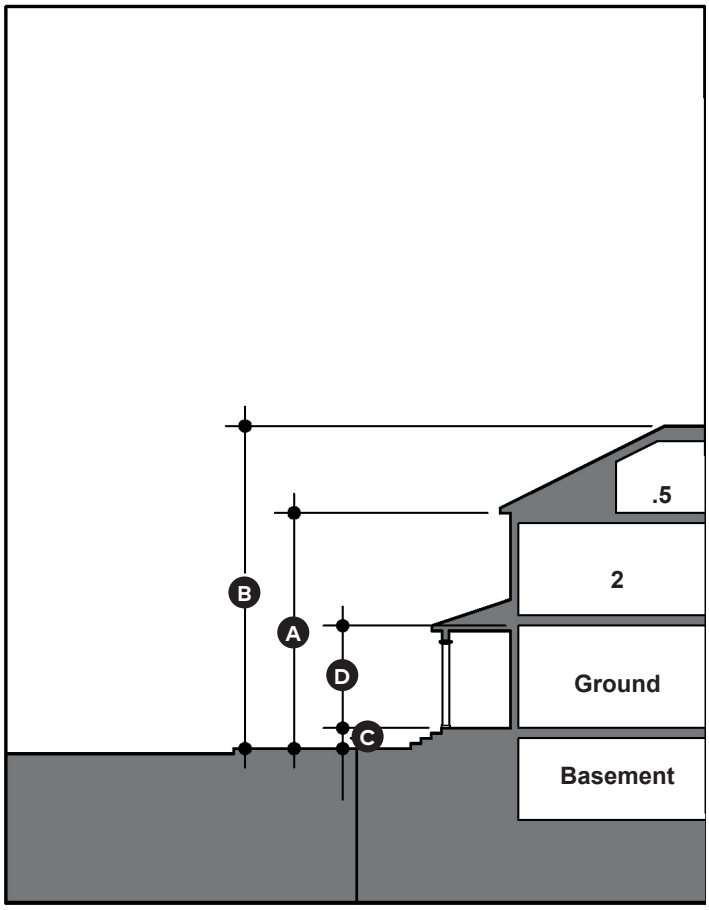
PARKING

Parking Setbacks:

Primary Street:	50 ft. min.	A
Secondary Street:	10 ft. min.	B
Side:		
Lot:	5 ft. min.	C
Lane:	5 ft. min.	D
Rear:	5 ft. or 15 ft.+	E

Miscellaneous:

a. Access shall be from a rear alley or secondary street where feasible.
b. For front loaded instances:
   i. any attached garages that are accessed from and face a street shall be recessed behind the front facade of the principal building 10 ft. min.;
   ii. Attached garages may be forward of the front facade if the garage forms a courtyard and the garage doors do not face the street;
   iii. Front-loaded garage doors shall be a maximum of 9 ft. wide.



FORM

Height:

Principal Building:		
Stories:	2.5 max.	
To eave:	25 ft. max.	A
Overall:	40 ft. max.	B
Accessory Building:		
Accessory Dwelling:	2 stories max.	
Other:	1 story	
Ground floor above sidewalk:	1.5 ft. min.	C
Ground floor ceiling:	9 ft. min.	D

Articulation:

Building facades that face a street or open space shall not exceed 40 ft. in length without a building articulation intended to minimize the mass of the building.

Transparency:

Building facades that face a street or open space shall have a minimum transparency for each story as described below and consisting of doors, windows, or a combination thereof. Window and door glazing shall not be mirrored or heavily tinted to avoid obscuring visibility into the building.

a. First stories shall have a minimum transparency of 20%.
b. Upper stories shall have a minimum transparency of 15%.

vi. MISCELLANEOUS

a. Miscellaneous Lot and Building Type Standards
   i. For corner lots, the minimum lot width shall be five (5) feet greater than required.
   ii. For Cottage/Townhouse Court Types the minimum lot size is for developments that utilize horizontal property regime. Individual lots with a single dwelling unit may have a 30 ft. min. lot width and 60 ft. min. lot depth for Cottage Courts and a 20 ft. min. lot width for and 60 ft. min. lot depth for Townhouse Courts.
   iii. Townhouses shall have a maximum of 6 attached units before a 10 ft. min. separation between groups of units.
b. Materials
   i. Primary Facade
   A minimum of 85% of the facade area, exclusive of openings, shall be brick, stone, cast stone, or stucco (authentic), wood siding/shingles/trim, fiber cement siding/shingles/trim, composite siding, or EIFS (upper stories only). A maximum of 15% of the facade area may be concrete block (split-faced/fluted), manufactured stone veneer siding, or architectural metal panels.
   ii. Secondary Facade
   A minimum of 75% of the facade area, exclusive of openings, shall be brick, stone, cast stone, or stucco (authentic), wood siding/shingles/trim, fiber cement siding/shingles/trim, composite siding, or EIFS (upper stories only). A maximum of 25% of the facade area may be concrete block (split-faced/fluted), manufactured stone veneer siding, or architectural metal panels.