

TOWN OF WAYNESVILLE

Planning Board

9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Development Services
Director
Elizabeth Teague

Planning Board Members

Susan Teas Smith (Chairman)
Ginger Hain (Vice Chair)
Stuart Bass
John Baus
R. Michael Blackburn
Travis Collins
Jan Grossman
Tommy Thomas

Regular Meeting of the Planning Board Town Hall, 9 South Main Street, Waynesville, NC 28786 Monday, May 20, 2024, 5:30 PM

A. CALL TO ORDER

1. Welcome/Calendar/Announcements
 - Summary of Council actions on recent Planning Board recommendations
 - Valleywood Farms withdrew additional subdivision entrance sign request
 - Density Workgroup (joint subcommittee with Council) and STR Workgroup progress
2. Approval of Minutes as presented (or amended):
 - April 1, 2024 Special Called Meeting Minutes

B. BUSINESS

1. Request for additional continuance of hearing to consider North Carolina Health and Human Services updates to guidelines for care homes, as they relate to LDs definitions.
2. Public Hearing to consider a map amendment to apply the railroad overlay district (RR-O) onto properties within the proposed areas in Frog Level and Hazelwood.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

D. ADJOURN

Waynesville Town Council Votes on the Planning Board Items 2023-2024

February 14, 2023

- Map Amendment for the property located at 465 Boyd Avenue (PIN 8605-96-8882) to create a Hazelwood Urban Residential MXO-3 District.
- Text Amendment to the LDS Section 17.3, Use Type Definitions, Personal Services to include tattoo parlors.

The text amendments passed unanimously.

May 23, 2023

- Stormwater Ordinance text amendment, Section 12.5 of the LDS: design standards and safety measures for stormwater control measures with steep slopes and tall banks (such as ponds).

Motion of Consistency with the 2035 Plan and Motion to adopt the text amendment passed unanimously.

- Map Amendment for the property located at 237 Ratcliff Cove Road (PIN 8626-00-9246).

Council voted to rezone the property described as 237 Ratcliff Cove Road (PIN 8626-00-9246) from the Raccoon Creek Neighborhood Residential District to the Raccoon Creek Neighborhood Residential District Mixed-Use Overlay-2, to be enacted 10 days after the Haywood County School Board achieves ownership of the property, and to limit the additional uses extended by the overlay to Government Services. In so doing, they amended the Comprehensive Plan, Future Land Use Map to re-designate this property as "Community Facilities" in its land use typology.

June 27, 2023

- Text amendment to the LDS Section 5.10.2, Mixed-Use/Commercial Building Design Guidelines, Façade Materials.

The original text amendment was simply to add "metal panels and siding" to the list of permitted materials. The Town Council modified it by adding the following provisions:

Metal panels and siding may be used as a facade material on commercial buildings with the following restrictions:

1. *Metal panels and siding may be used as a facade material only on commercial buildings located within Neighborhood Center, Business, and Regional Center Districts.*
2. *Such metal panels and siding must consist of architectural-grade metal without a high-gloss finish. Standing seam metal panels may not be used as a façade material.*
3. *The use of metal panels and siding as a façade material within a National Register Historic District or Local Historic District must be approved by the Historic Preservation Commission with the issuance of a Certificate of Appropriateness.*

The text amendments passed unanimously.

September 12, 2023

- Addition of an "Event Space" as a stand-alone use to the Land Development Standards (LDS): definition and supplemental standards.
- Creation of a Railroad Overlay District: purpose, standards, uses.
- Definition of "Freight Hauling/Truck Terminals."

The text amendments passed unanimously.

January 9, 2024

- Rezoning request for the portion of the property at 1460 Russ Avenue from Dellwood Residential Medium Density Mixed-Use Overlay (D-RM MXO) to Russ Avenue Regional Center District (RA-RC) district.

The map amendment passed unanimously.

March 12, 2024

- The Town Council approved the Conditional District Rezoning for Biltmore Baptist Church with the following conditions:
 1. Comply with the façade standards and include architectural elements on the north and south side building elevations in accordance with Land Development Standards (LDS) section 5.10.
 2. Preserve existing street trees along Asheville Rd (LDS 8.4.1).
 3. Require 5-ft sidewalks along Asheville Rd and Ratcliff Cove Rd (LDS 6.6.2 B, D).
 4. Allow parking at the principal frontage, as proposed on the Master Plan (LDS 9.3).

The applicant submitted the Transportation Impact Analysis study at the hearing, and the Council accepted it with no further comments.

The map amendment passed unanimously.

March 26, 2024

The Town Council approved the Conditional District Rezoning for the 10.99-acre portion of the unaddressed parcels at Waynesville Inn and Golf Club PIN 8614-27-1901 and PIN 8614-27-7912, Greenview Conditional District Map Amendment (Rezoning), with the following conditions attached:

1. Lot width standards for CC-RL shall not apply
2. LDS standards for the proposed "Lane" within the subdivision shall not apply (LDS 6.6.2. E)
3. At both hydrant locations, the proposed "Lane" needs to be at least 26 ft wide. The plan needs to be adjusted prior to issuance of the building permit to comply with Fire and Building Codes.
4. The developer will pay payment-in-lieu for sidewalk construction with the easement granted to the Town to construct a sidewalk in order to fill the existing gaps in the neighborhood, per staff recommendations, with priority along the northern part of Longview Drive.
5. Civic space requirements of the LDS Chapter 7 shall not apply if project claims credit for the existing amenities. Access to existing civic space must be guaranteed for all the residents of the development.
6. Landscape requirements of the LDS Chapter 8 shall not apply as the project will propose custom landscaping plan
7. Minimum spacing requirements between the driveways in CC-RL of the LDS Chapter 9 shall not apply

The map amendment passed unanimously.

May 14, 2024

1. The Council closed the public hearing on the Longview Conditional District Subdivision and directed the Town Attorney (Martha Bradley) and Development Services staff to negotiate some conditions of approval with the applicant to ensure better compliance with the LDS. The Council will vote on the application on May 28, 2024 with consideration of negotiated conditions.
2. The Council continued the public hearing on general 160-D corrections and tree preservation until June 11th, 2024.



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MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Special Called Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786--
Monday April 1, 2024, 5:30pm

THE WAYNESVILLE PLANNING BOARD held a Special-Called Meeting on Monday, April 1st, 2024, at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC. 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present:

Susan Teas Smith (Chairman)
John Baus
Travis Collins
Jan Grossman
Michael Blackburn
Tommy Thomas

The following board member were absent:

Ginger Hain (Vice Chairman)
Stuart Bass
Peggy Hannah

The following staff members were present:

Elizabeth Teague, Development Service Director
Olga Grooman, Land Use Administrator
Esther Coulter, Administrative Assistant

The following Attorney was present:

Ron Sneed, Town Attorney

Planning Board Minutes
April 1st, 2024

Chairman Susan Teas Smith called the meeting to order at 5:31pm. Mrs. Smith welcomed everyone and asked Development Service Director Elizabeth Teague to give any announcements. Ms. Teague stated there were none.

Ms. Smith read through the public hearing procedures and opened the hearing at 5:36pm.

Land Use Administrator Olga Grooman introduced the application for a Special Use Permit Major Site Plan Amendment for Haywood Christian Academy, PIN 8616-29-7639.

Ms. Grooman said HCA wants to add two (2) modular classroom buildings on the south-eastern side of the property, as shown on the attached master plan. Each modular unit will be one story. Building A is 1,767 sf, and building B is 1,938 sf, as specified on the site plan. The new parking area of 12 spots (including one ADA space) is also proposed to the east of the new buildings. Because the project is adding impervious surface to the previously approved master plan, this request is considered a substantial modification that needs to be reviewed by the Planning Board per LDS 15.2.5.

Ms. Grooman explained that the original items required for the 2018 SUP (parking, buffering, traffic flow, etc.) are not modified. The project was already granted a SUP to use the property as a school. Any new construction on site would only require a site plan approval by the Planning Board. The Board is an Administrator and must find that each of the following facts to be true to approve or approve with conditions the site plan for two (2) new classroom buildings and parking lot (LDS 15.8.2):

1. The plan is consistent with the adopted plans and policies of the Town.
2. The plan complies with all applicable requirements of this ordinance; and
3. The plan has infrastructure as required by the ordinance to support the plan as proposed

Ms. Grooman stated that staff suggests the proposed site plan is consistent with the following goals of the Comprehensive Plan:

- Goal 1: Continue to Promote Smart Growth Principles in Land Use Planning and Zoning.
 - Encourage infill, mixed-use and context-sensitive development.
 - Reinforce the unique character of Waynesville.

- Goal 5: Create Opportunities for a Sustainable Economy.
 - Strengthen Waynesville’s current and future workforce through education and training.

Ms. Grooman reviewed the Land Development Standards Chapters that pertained to the development as documented in the staff report, and noted that the plan complies with LDS requirements except in landscaping and screening. Additionally, Building and Fire Code officials ask that a fire hydrant be located to meet coverage requirements of the new structures, and that knox boxes be available to allow emergency services access to the buildings.

Ms. Grooman stated that staff suggests the site plan amendment could be approved with the following conditions:

1. Add the type B buffer along the adjacent residential property at 167 Sutton Loop to the west and submit the revised landscaping plan prior to the issuance of a Building Permit.
2. There will need to be a fire hydrant placed within 400 ft of the new buildings. The site plan needs to be adjusted prior to the issuance of a Building Permit.
3. Two (2) additional Knox Boxes are required- one on the existing gym building, and one on one of the new classroom buildings.
4. The plan needs to be adjusted to include the parking lot screening along Hampshire Drive per LDS 8.6.1.
5. The plan needs to show additional parking lot plantings per LDS 8.6.2.

Chair Susan Smith asked if there were any questions and then asked the applicant team if they would like to speak.

Kelli Herbert, Head of School, Haywood Christian Academy gave a history of the school and said that it is 17 years old. The school moved to this location in 2018. The school is Pre-K through 12th grade. The school is dually accredited academy they hold accredited status with the Association of Christian Schools National. The school has been growing since they moved to this location. Ms. Herbert said they keep good relationship with their neighbors. The school built a gymnasium as part of their master plan. Ms. Herbert said the 2 modular units will serve as 4 classrooms. The additional classrooms are needed because of student population growth, and would like to have them in place by the fall.

Warren Sugg, an Engineer for Civil Design Concepts spoke. He gave the board pictures with the existing buildings at different angles and pictures with the proposed modular structures, parking lot and landscaping. Mr. Sugg went through the master plan from the staff report on the project. He stated that all the students get dropped off by their parents and the entrance to the proposed buildings have an ADA compliance deck between Building A and B. Mr. Sugg asked for flexibility to work through process with the help of staff to provide a landscaping plan that would be acceptable in terms of trees and buffer. There was discussion regarding the landscape requirements, chapter 8 sections 8.6 and 8.6.2, among board, staff and Mr. Sugg. Staff noted that the modulares were to the rear of the property and away from the public rights of way.

Chair Smith asked if the Board had other questions or if the applicants had anything else to add. She then asked for members of the public to speak.

Public Comment:

David Onder- said his family lives in the area and their concerns are with looking at the back of building B which would be a large white wall. The pine trees along the street are very tall and don't provide any screening. He would like to see something done in the way of screening.

Barbara Yarbough- showed the board pictures on her phone of the street pine trees and the trees that the school had installed along her yard look like now. She said when they put the trees in 2018, they did a wonderful job. Ms. Yarbough said they had already talked with her about what they want to do for her property. She thanked the school for being so considerate of what they are doing and the neighborhood.

Ms. Teague brought to the board's attention section 8.2.4 about alternative compliance landscaping. Ms. Smith read through the ordinance and agreed the board and staff could help with changes.

Chairman Smith Closed the public hearing at 6:40pm to deliberate. A question was asked about what the back looks like. Ms. Smith reopened the hearing at 6:41. Ms. Herbert referred the Board to the picture of the back of the modular which is shown in the agenda packet on p. 28.

The board talked with staff about alternative options that the school could do to landscaping designs. Attorney Ron Sneed clarified that the ordinance allows the board to consider alternatives in their administrative role. Ms. Teague stated that alternative compliance to landscaping would be appropriate in consideration of the existing trees along the road, the slope, and the proposed location of the new classrooms. She stated that staff could work with the applicant to implement a land scape plan based on the ordinance and the stated concerns, with considerations for the specific characteristics of the site.

Chairman Smith Closed the public hearing at 6:54pm

A motion was made by Board member John Baus, seconded by Board member Jan Grossman to approve the major site plan as proposed, it is consistent with 2035 Comprehensive Land Use Plan, Goals 1 and 5. The master plan shows compliance with the ordinance and the plan has infrastructure as per our ordinance, with the conditions 1-5 and the applicant work with staff with the plantings using 8.2.4. The motion passed unanimously.

C. ADJOURN

A motion was made by Board member Michael Blackburn , seconded by Chairman Susan Teas Smith, to adjourn the meeting. The motion passed unanimously. Meeting adjourns at pm.

Susan Teas Smith, Chairman

Esther Coulter, Administrative Assistant

Town of Waynesville Planning Board Staff Report

Subject: Updates to Definitions for Adult / Child Day care
Ordinance Section: 17.3 Definitions
Meeting Date: April 15, 2024 and resubmitted for May 20, 2024

Background

The State of North Carolina updated their definition of Family Day Care Homes. As part of the budget bill, NC General Statute 110-86(2) the definition for family child care homes (FCCH) and NC General Statute 110-91(7)(b) regarding FCCH capacity was revised. The new capacity options in statute are as follows:

A family childcare home is allowed to provide care for one of the following groups of children, including the operator's own preschool-age children and excluding the operator's own school-age children up to 13 years of age:

1. *A maximum of eight children, with no more than five children who are from birth to 5 years of age, plus three school-age children.*
2. *A maximum of three children from birth to 24 months of age, plus three children from 2 to 5 years of age and three school-age children up to 13 years of age, for a total of nine children.*
3. *A maximum of 10 children if all children are older than 24 months of age.*

This means that the town’s current ordinance definition which allows up to 8 children within a home is out of date. According to the DHHS website: “a change in capacity **requires** a new permit be issued. FCCH Operators interested in an increase in their capacity will need to provide a written request with verification there are **no local zoning ordinances or homeowner association bylaws/covenants that prohibit** the increase.”

Current definitions cover both child and adult care:

Child/Adult Day Care Center (More than 8 persons). An individual, agency, or organization providing supervision or care on a regular basis for children or adults who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adults; and who are not residents in the center; designed and approved to accommodate more than eight children or adults at a time based on State regulations; not an accessory to residential use.

Child/Adult Day Care Home (8 or less persons). Supervision or care provided on a regular basis as an accessory use within a principal residential dwelling unit, by a resident of the dwelling, for no more than eight children (no more than five of which may be of pre-school age).

The Town definitions are outdated and need to be consistent with NC Department of Health and Human Services as well as Haywood County which will mean separating out “Day Care” and “Adult Care.”

Staff Recommendation

The Town should amend the LDS current definition to be in compliance with the State definition so that local in-home childcare providers can be issued zoning compliance letters from the Town. The definition could be taken directly from NCGS 110-84 to cover both child care centers and in-home day care, and

should be a stand-alone definition for child-care. Then, separate and current definition for adult-care should also be considered. These uses should then replace the “Child ? Adult Day Care Home” and “Child / Adult Day Care Center,” use types in the Table of Permitted, without changing their places within the zoning districts.

Child Care facilities should be defined according to the State regulations as:

Child-Care Facility includes child care centers, family child care homes, and any other child care arrangement not excluded by G.S. 110-86(2), that provides child care, regardless of the time of day, wherever operated, and whether or not operated for profit. A child care center is an arrangement where, at any one time, there are three or more preschool-age children or nine or more school-age children receiving child care.

Family Child-Care Home is a type of child care facility, permitted by the State under NCGS 110-84, and is a child care arrangement located in a residence where, at any one time, more than two children, but less than nine children, receive child care, whether or not operated for profit.

Similarly, Adult Care Facilities should be defined as:

Adult-Care Facility (2-6 residents) are residences for aged and disabled adults who may require 24 hour supervision and help with activities of daily living and are permitted by the North Carolina Department of Social Services.

Adult-Care Facility (more than 6 residents) are residences for aged and disabled adults who may require 24 hour supervision and help with activities of daily living and are permitted by the North Carolina Department of Social Services.

Family Adult Care / Adult Day Care is a supervised program offered during the day to individuals with cognitive and/or physical impairments and permitted by the North Carolina Department of Health and Human Services.

However, in defining these terms, the Planning Board should revisit the concern regarding domestic violence shelters and whether or not these terms do not create a conflict with the protection of anonymity for victims of domestic violence. At this point, staff asks for additional time to further work with the Haywood County Department of Social Services and our local non-profit REACH, to verify definitions. Therefore, we seek initial Board feedback and ask for this hearing to be continued.

Planning Board Staff Report

Subject: Railroad Overlay Map Amendment (RR-O)
Process Type: Legislative
Ordinance Section: Per Land Development Standards (LDS) section 15.14
Applicant: Railroad Subcommittee initiated map amendment
Presenter: Olga Grooman, Assistant Development Services Director
Meeting Date: May 20, 2024

Background

Pursuant to the Waynesville 2035 Comprehensive Plan recommendations, the Town Planning Board examined the area along the railroad right-of-way for its land use challenges and opportunities. On July 17, 2023, the Planning Board unanimously recommended the text amendment establishing the Railroad Overlay District (RR-O) in sections 2.5.3 and 2.6.3 the LDS. On September 12, 2023, the Waynesville Town Council adopted the “Railroad Overlay District,” to create an option for more flexible mixed uses and development standards within the Town’s zoning. The Railroad Overlay District is now proposed as a zoning map amendment for two areas (Frog Level and Hazelwood areas) through a formal public hearing.

On February 29, 2024, staff held a community workshop to get feedback on the proposed areas to be included in RR-O. The workshop was advertised on the Town’s website (1/24/24), as a quarter page announcement in the Mountaineer (2/4/24), via posted notice on the Town Hall’s Bulletin Board (1/24/24), and the notice was also emailed to the local media (1/24/24). Four (4) community members attended the workshop. They proposed to include several properties along the northern part of Richland Street, including one property that they own into the proposed overlay. Staff updated the maps.

The proposed RR-O in Frog Level will start at Buffalo Lane and go southwest to Killian Street on both sides of the railroad track right-of-way. Richland Creek will serve as a northern boundary for the district. Most of the southern boundary will consist of the properties off Boundary Street and a few properties off Richland Street (*see attached map*). Eighty (80) properties will be designated as RR-O within this area. The total acreage of these lots is approximately 51 acres. The majority of these properties are within 400 feet from the railroad, with many of them directly adjacent to it. The area currently encompasses a diverse mix of businesses, including a multi-use building (paint body shop, landscaping service, powder coating business), Giles Chemical, car wash, storage buildings, various retail, coffee shop, brewery, dry goods supplier, and residential.

The proposed RR-O in Hazelwood will start just above the Town’s Finance office at 280 Georgia Avenue and head in southward along both sides of the tracks to the Haywood Vocational Opportunities property at 172 Riverbend Street. It will also include some of the Hazelwood “downtown” area. This proposed overlay is less dense and has fewer properties. Thirty (30) properties will be designated as RR-O there. The total acreage of these lots is approximately 38 acres. The majority of these properties are within 400 feet from the railroad, and many of them are directly adjacent to it (*see attached map*). The existing uses within this area include: Giles Chemical, HVO, gun store, bakery, urgent care, mini storage, Town’s Finance Department, Fire Station #2, coffee shop, doctor’s office, restaurant, and various mercantile.

The proposed overlay districts maintain existing standards and uses of the current zoning district and introduce additional uses that will be allowed to promote flexibility and more development options for property owners.

For more information about the railroad corridor study, visit

<https://www.waynesvillenc.gov/departments/development-services/rail-corridor-study>.

To access the Railroad Overlay District ordinance, see Section 2.6.3 of the Town's Land Development Standards (LDS):

<https://www.waynesvillenc.gov/departments/development-services/land-use-zoning-ordinances>

Staff Recommended Map Changes

Per the Railroad Subcommittee's recommendations and feedback from community workshop, staff recommends to apply a Railroad Overlay District (RR-O) to 110 properties, as specified in the attached Draft Ordinance. Out of these 110 properties, 80 are in the Frog Level area, and 30 are in Hazelwood area of the town.

Although 110 properties may seem like a significant number of lots, they represent only 1.3% of all parcels in Waynesville (There are approximately 8,025 parcels in Waynesville, per Haywood Count GIS parcel data). The overlay will superimpose a mixed use overlay on top of the existing zoning to allow a greater number of permitted uses on the effected properties.

Consistency Statement Information

Staff submits that the proposed map amendment to the Official Land Development Map of the Town of Waynesville is consistent with the following goals of the 2035 Comprehensive Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage in-fill, mixed use, and context-sensitive development.
- "Study/implement a railroad overlay district to encourage redevelopment along the railroad corridor, especially in areas with access to existing/future greenway" (p. 67).

Goal 5: Create Opportunities for a Sustainable Economy.

- Promote the growth of existing local businesses and Waynesville's "maker economy."
- Promote Waynesville's downtown districts, inns, restaurants, and reputation as the "Gateway to the Smokies."
- "Review the LDS to create opportunities within the Town of Waynesville's industrial areas and along the railroad corridor" (p. 70).

Public Notifications

Per 160D-602 ((b) Optional Notice for Large Scale Zoning Map Amendment) and LDS 15.3.6 (Full Community Notification), staff provided notices of this public hearing as a one-page advertisement in the Mountaineer newspaper (5/5/24 and 5/12/24), via first-class mail to the property owners (4/29/24), and by posting the signs on adjacent public streets (10 locations were posted in Frog Level area and 8 locations were posted in Hazelwood area on 4/29/24). As attached exhibits show, staff posted two (2) signs at most locations: one displaying a map and summary of the proposed district, and the other notifying about the Planning Board public hearing.

Recommended Motions




1. Motion to find the proposed Railroad Overlay map amendment as being consistent with the 2035 Comprehensive Land Use Plan and reasonable and in the public interest.
2. Motion to recommend the map amendment for approval by the Waynesville Town Council.

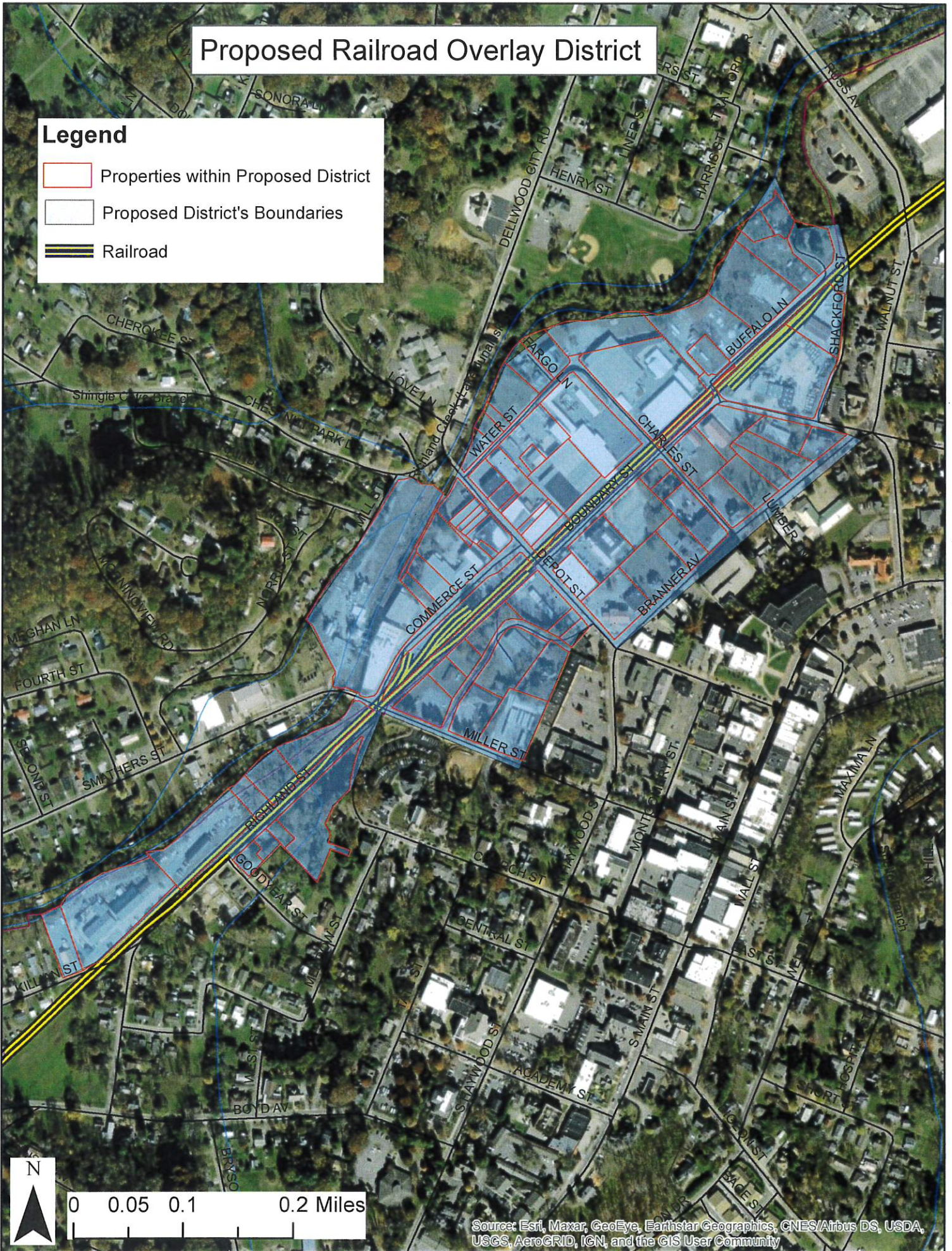
Attachments

- Proposed Railroad Overlay maps
- Draft Map Amendment Ordinance
- Public notifications
- Community workshop materials: notices and sign-in sheet
- Ordinance that established the Railroad Overlay District in LDS sections 2.5.3 and 2.6.3, as adopted by the Council on 9/12/2023 (O-38-23)

Proposed Railroad Overlay District

Legend

-  Properties within Proposed District
-  Proposed District's Boundaries
-  Railroad

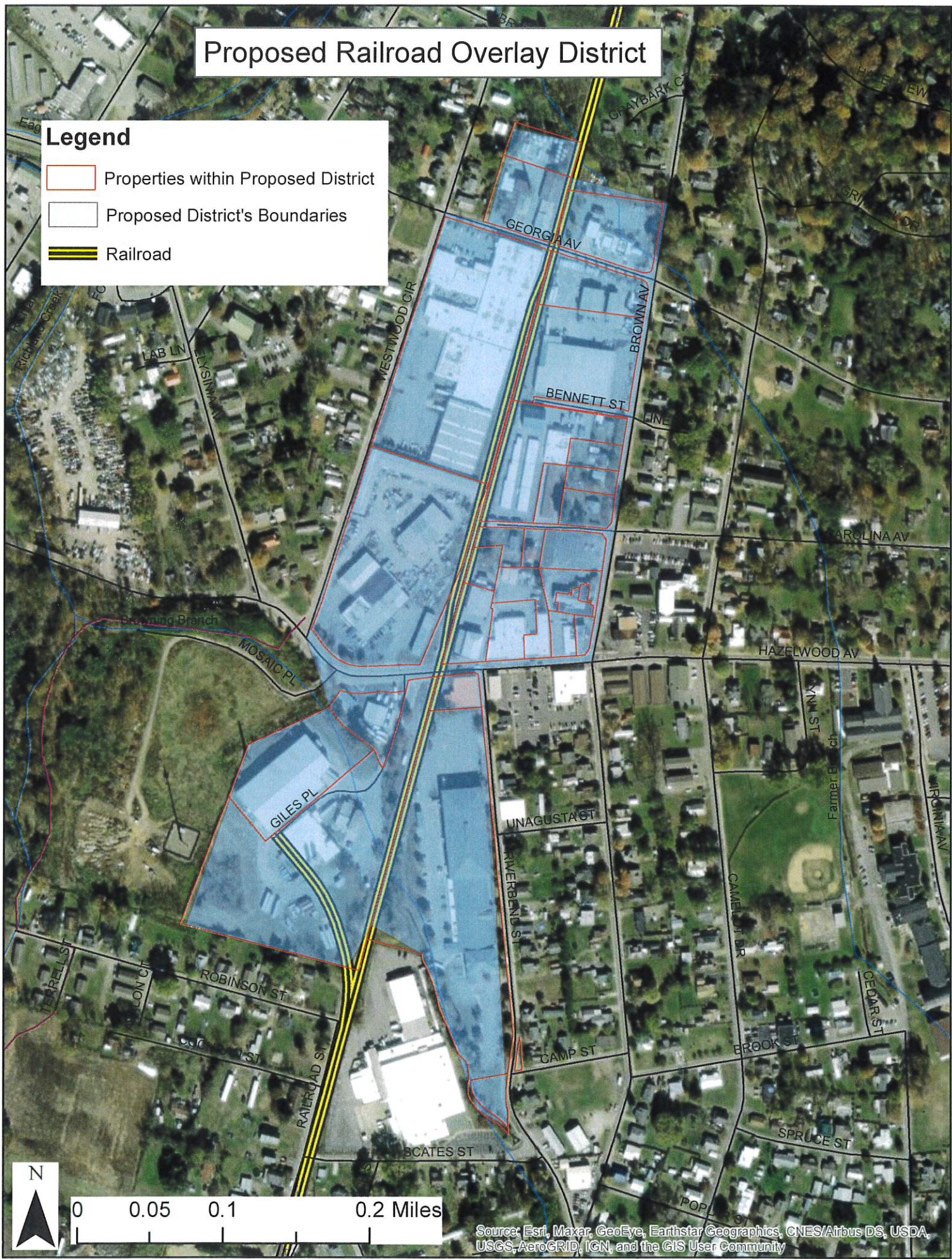


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Proposed Railroad Overlay District

Legend

- Properties within Proposed District
- Proposed District's Boundaries
- Railroad



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

DRAFT FOR COUNCIL CONSIDERATION

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL LAND DEVELOPMENT MAP OF THE TOWN OF WAYNESVILLE

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town of Waynesville Land Development Map will implement an action item from the 2035 Comp Plan to create “a railroad overlay district to encourage redevelopment along the railroad corridor, especially in areas with access to existing/future greenway;” and

WHEREAS, the Town of Waynesville reviewed the Land Development Standards “to create opportunities within the Town of Waynesville’s industrial areas and along the railroad corridor,” as specified in the 2035 Comp Plan; and

WHEREAS, the Waynesville Town Council adopted the “Railroad Overlay District” with its standards to promote more flexible mixed uses and development standards within the Town’s zoning on September 12, 2023; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed map amendment and recommends that it is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest because:

- The Town of Waynesville will continue to “promote smart growth in land use planning and zoning;” (Goal #1);
- The Railroad Overlay District will “encourage in-fill, mixed use, and context-sensitive development.” (Goal #1);
- The Town will “create opportunities for a sustainable economy” (Goal #5);
- The Railroad Overlay will “promote Waynesville’s downtown districts, inns, restaurants, and reputation as the Gateway to the Smokies.” (Goal #5);
- The Town will “promote the growth of existing local businesses and Waynesville’s “maker economy.” (Goal #5); and

WHEREAS, the Planning Board has reviewed and recommends the proposed map amendment for enactment by the Town Council; and

WHEREAS, the Town Council find this Ordinance to be consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes;” and

WHEREAS, after notice duly given, a public hearing was held on **May 20, 2024** at the regularly scheduled meeting of the Waynesville Planning Board, and on _____ at the regularly scheduled meeting of the Waynesville Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____ AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Official Land Development Map be amended with the following properties included in the Railroad Overlay, which will be imposed on various districts as follows:

Seventy-three (73) properties in Central Business District (CBD) will be designated as Central Business Railroad Overlay District (CBD-RR-O):

1. .29 acre property at 175 Buffalo Lane (PIN 8615-39-6870),
2. .22 acre property at 169 Buffalo Lane (PIN 8615-39-5787),
3. .69 acre property at 167 Buffalo Lane (PIN 8615-39-6656),
4. .55 acre property at 145 Shackford Street (PIN 8615-39-8638),
5. 1.68 acre unaddressed property off Buffalo Lane (PIN 8615-39-5428),
6. 1.25 acre property at 59 Buffalo Lane (PIN 8615-39-3443),
7. .3 acre property at 21 Buffalo Lane (PIN 8615-39-3380),
8. 2.31 acre property at 201 Boundary Street (PIN 8615-39-6104),
9. .84 acre unaddressed property off Shackford Street (PIN 8615-39-7378),
10. .29 acre property at 41 Branner Avenue (PIN 8615-38-7995),
11. .59 acre property at 216 Boundary Street (PIN 8615-38-6948),
12. .35 acre property at 68 Branner Avenue (PIN 8615-38-6886),
13. .3 acre property at 82 Branner Avenue (PIN 8615-38-5874),
14. .53 acre unaddressed property off Branner Avenue (8615-38-5719),
15. .55 acre property at Branner Avenue (PIN 8615-38-4722),
16. .68 acre property at 144 Boundary Street (PIN 8615-38-3819),
17. .66 acre property at 156 Boundary Street (PIN 8615-39-4030),
18. 2.51 acre property at 100 Charles Street (PIN 8615-39-0175),
19. 1.1 acre unaddressed property at Charles Street (PIN 8615-29-8393),
20. .42 acre property at 107 Water Street (PIN 8615-29-7370),
21. .41 acre property at 19 Fargo Lane (PIN 8615-29-6298),
22. .18 acre property at 14 Lily Pad Court (PIN 8615-29-6231),
23. .18 acre property at 22 Lily Pad Court (PIN 8615-29-6106),
24. .18 acre property at 30 Lily Pad Court (PIN 8615-29-5172),
25. .12 acre unaddressed property off Water Street (PIN 8615-29-5120),
26. .16 acre unaddressed property off Water Street (PIN 8615-29-5014),
27. .2 acre property off 19 Water Street (PIN 8615-28-4967),
28. 1.96 acre unaddressed property off Charles Street (PIN 8615-28-8938),
29. .81 acre unaddressed property off Water Street (PIN 8615-28-5985),
30. .31 acre property at 34 Water Street (PIN 8615-28-6807),
31. .27 acre property at 282 Depot Street (PIN 8615-28-4894),
32. .15 acre property at 270 Depot Street (PIN 8615-28-5737),
33. .34 acre property at 244 Depot Street (PIN 8615-28-6766),
34. .09 acre property at 240 Depot Street (PIN 8615-28-7702),

35. .26 acre property at 222 Depot Street (8615-28-7607),
36. .14 acre unaddressed property off Depot Street (PIN 8615-28-7644),
37. .14 acre property at 48 Water Street (PIN 8615-28-6974),
38. .98 acre property at 65 Boundary Street (PIN 8615-28-8808),
39. .16 acre property at 100 Boundary Street (PIN 8615-38-1866),
40. .17 acre property at 57 Charles Street (PIN 8615-38-1890),
41. .68 acre property at 150 Branner Avenue (PIN 8615-38-2696),
42. .43 acre property at 166 Branner Avenue (PIN 8615-38-2577),
43. .96 acre property at 182 Branner Avenue (PIN 8615-38-1437),
44. .92 acre property at 136 Depot Street (PIN 8615-28-9384),
45. .09 acre property at 157 Depot Street (PIN 8615-28-8226),
46. .14 acre property at 163 Depot Street (PIN 8615-28-7390),
47. .75 acre property at 185 Depot Street (PIN 8615-28-6451),
48. .37 unaddressed property off Suyeta Park Drive (PIN 8615-28-4266),
49. .23 acre unaddressed property off Miller Street (PIN 8615-28-3165),
50. .29 acre property at 244 Miller Street (PIN 8615-28-3008),
51. .59 acre unaddressed property off Miller Street (PIN 8615-27-2929),
52. 1.16 acre unaddressed property off Commerce Street (PIN 8615-28-2253),
53. .6 acre property at 216 Miller Street (PIN 8615-27-3839),
54. .93 acre property at 86 Suyeta Park Drive (PIN 8615-28-5168),
55. .58 acre property at 31 Suyeta Park Drive (PIN 8615-28-6004),
56. 1.03 acre property at 174 Miller Street (PIN 8615-27-4884),
57. .27 acre unaddressed property off Richland Street (PIN 8615-17-5626),
58. 1.52 acre property at 180 Richland Street (PIN 8615-17-2463),
59. 2.24 acre property at 182 Richland Street (PIN 8615-07-8281),
60. .5 acre property at 52 Killian Street (PIN 8615-07-7153),
61. .2 acre property at 70 Commerce Street (PIN 8615-28-2402),
62. .38 acre property at 66 Commerce Street (PIN 8615-28-2476),
63. 1.01 acre property at 40 Commerce Street (PIN 8615-28-3544),
64. .24 acre property at 283 Depot Street (PIN 8615-28-3786),
65. .11 acre property at 275 Depot Street (PIN 8615-28-3791),
66. .07 acre property at 267 Depot Street (PIN 8615-28-4619),
67. .08 acre property at 263 Depot Street (PIN 8615-28-4647),
68. .31 acre property at 10 Commerce Street (PIN 8615-28-4683),
69. .05 acre property at 24 Commerce Street (PIN 8615-28-4587),
70. .39 acre property at 188 Depot Street (PIN 8615-28-8424)
71. .9 acre property at 44 Boundary Street (PIN 8615-28-8560)
72. .9 acre unaddressed property off North Richland Street (PIN 8615-38-0697)
73. .04 acre unaddressed property off Depot Street (PIN 8615-28-5797).

Four (4) properties in Commercial Industrial District (CI) will be designated as Commercial Industrial Railroad Overlay District (CI-RR-O):

1. 5.3 acre property at 102 Commerce Street (PIN 8615-18-9472),
2. 6.06 acre property at 75 Giles Place (PIN 8605-72-8357),
3. 1.94 acre property at 76 Giles Place (PIN 8605-72-8619),
4. 1.56 acre property at 33 Bennett Street (PIN 8605-83-6614).

Six (6) properties in the Main Street Neighborhood Residential District (MS-NR) will be designated as Main Street Neighborhood Residential Railroad Overlay District (MS-NR-RR-O):

1. .98 acre unaddressed property off Richland Street (PIN 8615-17-7729),
2. .59 acre unaddressed property off Commerce Street (PIN 8615-17-6703),
3. 1.5 acre property at 41 Richland Street (PIN 8615-17-6586),
4. .09 acre unaddressed property off Richland Street (PIN 8615-17-6520),
5. .15 acre property at 111 Richland Street (PIN 8615-17-5477),
6. .2 acre property at 129 Richland Street (PIN 8615-17-5401).

Twenty-four (24) properties in Hazelwood Business District (B-BD) will be designated as Hazelwood Business Railroad Overlay District (H-BD-RR-O):

1. 5.57 acre property at 150 Westwood Circle (PIN 8605-83-3950),
2. 5.18 acre property at 546 Hazelwood Avenue (PIN 8605-83-0282),
3. .94 acre property at 108 Georgia Avenue (PIN 8605-84-7047),
4. 2.29 acre property at 970 Brown Avenue (PIN 8605-83-6728),
5. .27 acre property at 1004 Brown Avenue (PIN 8605-83-7548),
6. .24 acre property at 1034 Brown Avenue (PIN 8605-83-7522),
7. .32 acre property at 378 Carolina Avenue (PIN 8605-83-7414),
8. .73 acre property at 533 Hazelwood Avenue (PIN 8605-82-0848),
9. .24 acre unaddressed property off Riverbend Street (PIN 8605-81-3753),
10. 6 acre property at 172 Riverbend Street (PIN 8605-82-2326),
11. .32 acre property at 493 Hazelwood Avenue (PIN 8605-82-3902),
12. .26 acre property at 409 Carolina Avenue (PIN 8605-83-4375),
13. .14 acre property at 405 Carolina Avenue (PIN 8605-83-5344),
14. .4 acre property at 114 Brown Avenue (PIN 8605-83-6353),
15. .23 acre unaddressed property off Carolina Avenue (PIN 8605-83-3298),
16. .56 acre property at 486 Hazelwood Avenue (PIN 8605-83-3048),
17. .5 acre property at 456 Hazelwood Avenue (PIN 8605-83-4171),
18. .5 acre property at 444 Hazelwood Avenue (PIN 8605-83-4294),
19. .36 acre unaddressed property off Brown Avenue (PIN 8605-83-6234),
20. .13 acre property at 1088 Brown Avenue (PIN 8605-83-6145),
21. .22 acre property at 430 Hazelwood Avenue (PIN 8605-83-6027),
22. .11 acre property at 428 Hazelwood Avenue (PIN 8605-83-6089),
23. .29 acre property at 400 Carolina Avenue (PIN 8605-83-6408),
24. .03 acre property at 1086 Brown Avenue (PIN 8605-83-6198).

Three (3) properties in Hazelwood Urban Residential District (H-UR) will be designated as Hazelwood Urban Residential Railroad Overlay District (H-UR-RR-O):

1. 1.24 acre property at 280 Georgia Avenue (PIN 8605-84-7137),
2. .97 acre property at 352 Georgia Avenue (PIN 8605-84-4370),
3. .5 acre unaddressed property off Georgia Avenue (PIN 8605-84-6408).

ADOPTED this _____ Day of _____, 2024.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



To: Town of Waynesville Planning Board
 From: Olga Grooman, Assistant Development Services Director
 Date: May 20, 2024
 Subject: Map Amendment Statement of Consistency Worksheet
 Description: Map Amendment establishing Railroad Overlay District (RR-O)
 Address: Town of Waynesville Development Services Department

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

The zoning map amendment **is approved and is consistent with the Town's Comprehensive Land Use Plan** because: _____

The zoning amendment and **is reasonable and in the public interest** because:

The zoning map amendment **is rejected because it is inconsistent with the Town's Comprehensive Land Plan and is not reasonable and in the public interest** because _____

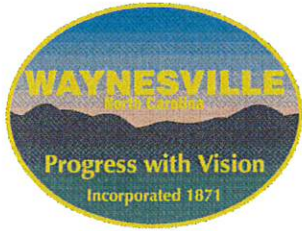
In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town's Comprehensive Land Use Plan**. The change in conditions taken into account in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____

Planning Board Member _____, made a motion, seconded by _____

The motion passed _____. (*unanimously or vote results here*)

 Susan Teas Smith, Planning Board Chair, Date

 Esther Coulter, Administrative Assistant, Date



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

Community Workshop Notice

For Publication in the February 4th Edition of the Mountaineer

Date: January 19, 2024

Contact: The Town of Waynesville Development Services Department, (828) 456-8647
Olga Grooman, Land Development Administrator, ogrooman@waynesvillenc.gov
Elizabeth Teague, Development Services Director, eteague@waynesvillenc.gov

Please run the following as announcement as a ¼ page ad in the February 4th, 2024 edition of the Mountaineer. Send invoice to: Elizabeth Teague, 9 South Main Street, Suite 110, Waynesville, NC 28786. Thank you.

Public Input Meeting for Waynesville Railroad Overlay District Boundary February 29th, 2024, from 5-7 p.m. at the Waynesville Recreation Center (550 Vance Street)

The Town of Waynesville is hosting a public input meeting to discuss the boundaries of the proposed Railroad Overlay District on **Thursday, February 29th, 2024, from 5-7 p.m. at the Waynesville Recreation Center (550 Vance Street).**

Pursuant to the Waynesville 2035 Comprehensive Plan recommendations, the Town Planning Board examined the area along the railroad right-of-way for its land use challenges and opportunities. Between January and May of 2023, a study group of local business owners, planning board members, and development services staff looked at potential uses along the corridor, economic opportunities for redevelopment, current zoning, and railroad right-of-way constraints and needs of the Blue Ridge Southern Railroad. They determined an overlay district could encourage the reuse of existing buildings, introduce more uses and flexibility, and create a corridor where commercial, cultural, and residential areas could safely coexist and promote economic and social vibrancy.

In September, 2023, the Waynesville Town Council adopted the "Railroad Overlay District," to create an option for more flexible mixed uses and development standards within the Town's zoning. Now, the Town seeks public input as to the extent and locations where the corridor overlay should be implemented. Feedback received during the public input meeting will be used to create the proposed district boundaries. The Railroad Overlay District will then be proposed as a zoning map amendment through formal public hearings and Town Council consideration.

All residents are invited to attend the meeting and provide their input. For more information about the railroad corridor study, visit <https://www.waynesvillenc.gov/departments/development-services/rail-corridor-study>.

To access the Railroad Overlay District ordinance, see Section 2.6.3 of the Town's Land Development Standards (LDS): https://www.waynesvillenc.gov/sites/default/files/inline-files/CHAPTER%2020%20-%20DISTRICT%20PROVISIONS_1.pdf

Sign In

Community Workshop Sign-In Sheet

NAME

EMAIL

SHEREEN MALEK

MISSMALEK@GMAIL.COM

Wendy Hill

wendy.hill.m@gmail.com

Chris Thompson

Thompson - chris86@icloud.com

Todd Johnson

Johnson_s_3@verizon.net



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100
 9 South Main Street
 Waynesville, NC 28786
 Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Public Notice: Newspaper (1 of 2)

Please run the following as announcement as a one (1) page ad in the May 5th and May 12th (Sunday) editions of the Mountaineer

Notice of Public Hearing

Town of Waynesville Planning Board

Date: April 25, 2024

Contact: The Town of Waynesville Development Services Department, (828) 456-8647
 Olga Grooman, Assistant Development Services Director, ogrooman@waynesvillenc.gov
 Elizabeth Teague, Development Services Director, eteague@waynesvillenc.gov

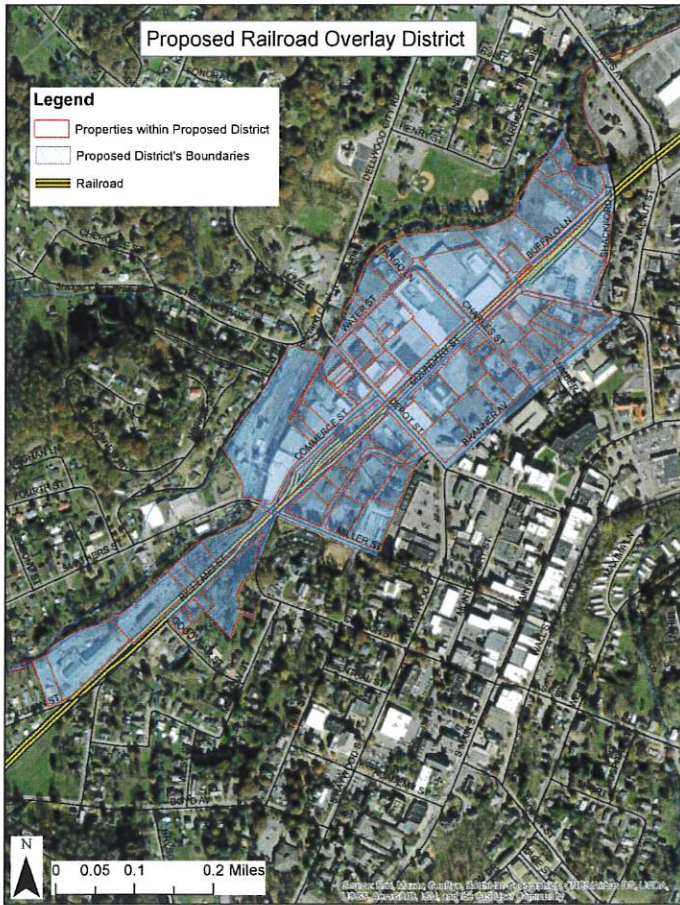
The Town of Waynesville Planning Board will hold a public hearing on May 20th, 2024 at 5:30 pm, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a map amendment to create a Railroad Overlay (RR-O) District.

Pursuant to the Waynesville 2035 Comprehensive Plan recommendations, the Town Planning Board examined the area along the railroad right-of-way for its land use challenges and opportunities. In September, 2023, the Waynesville Town Council adopted the "Railroad Overlay District," to create an option for more flexible mixed uses and development standards within the Town's zoning. The Railroad Overlay District is now proposed as a zoning map amendment for the two areas below (Frog Level and Hazelwood areas) through a formal public hearing.

For more information about the railroad corridor study, visit <https://www.waynesvillenc.gov/departments/development-services/rail-corridor-study>.

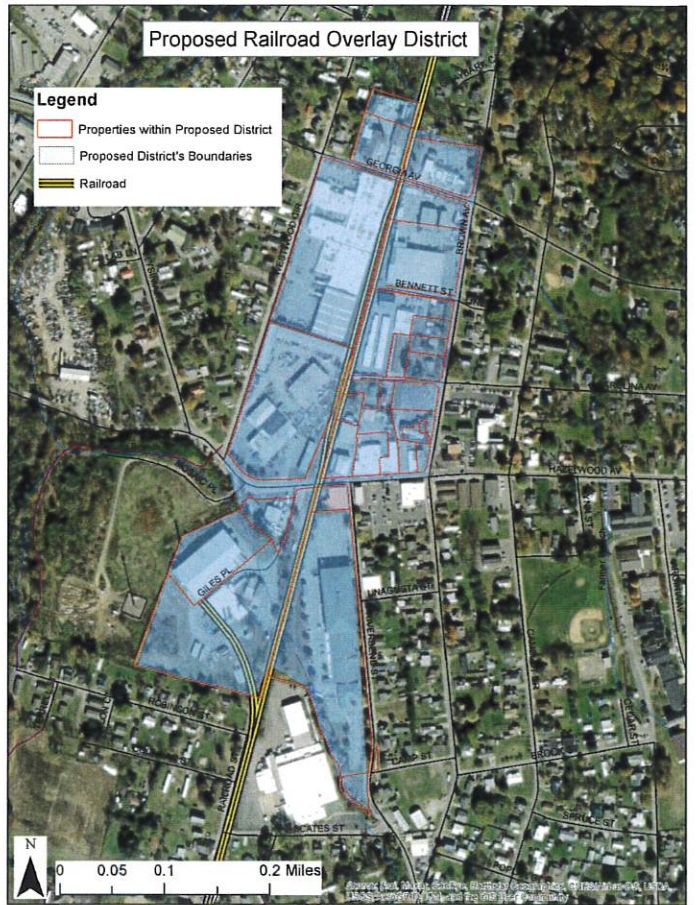
To access the Railroad Overlay District ordinance, see Section 2.6.3 of the Town's Land Development Standards (LDS): <https://www.waynesvillenc.gov/departments/development-services/land-use-zoning-ordinances>

Frog Level Area

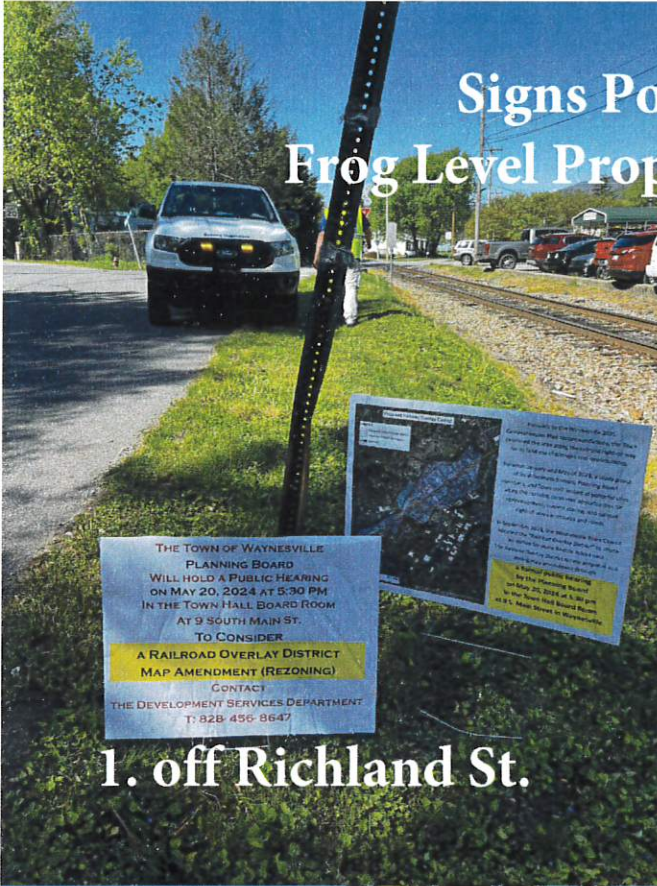


Public Notice: Newspaper (2 of 2)

Hazelwood Area



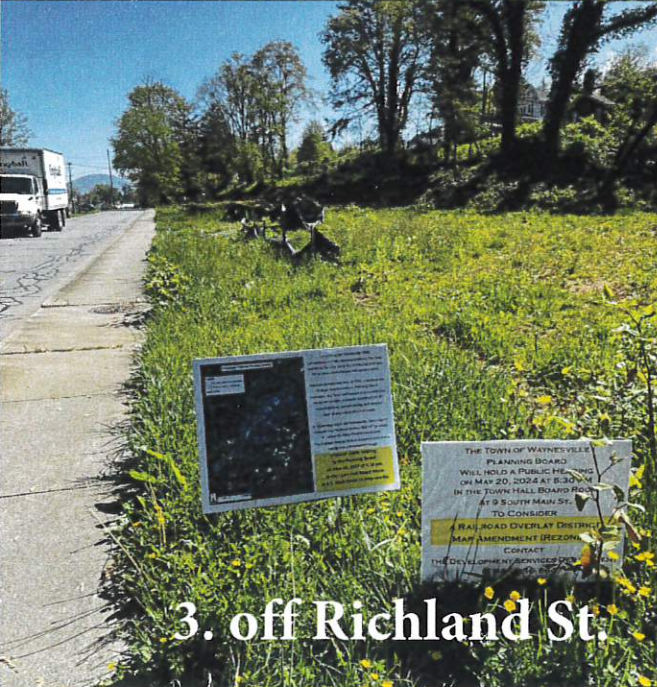
Signs Posted on 4-29-24 Frog Level Proposed Railroad Overlay



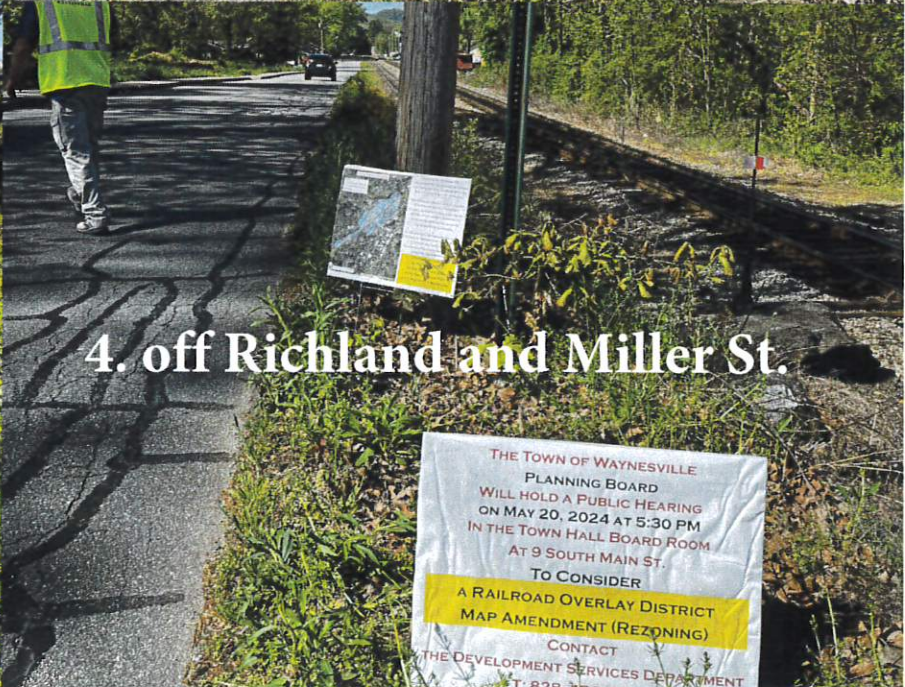
1. off Richland St.



2. off Goodyear St.



3. off Richland St.



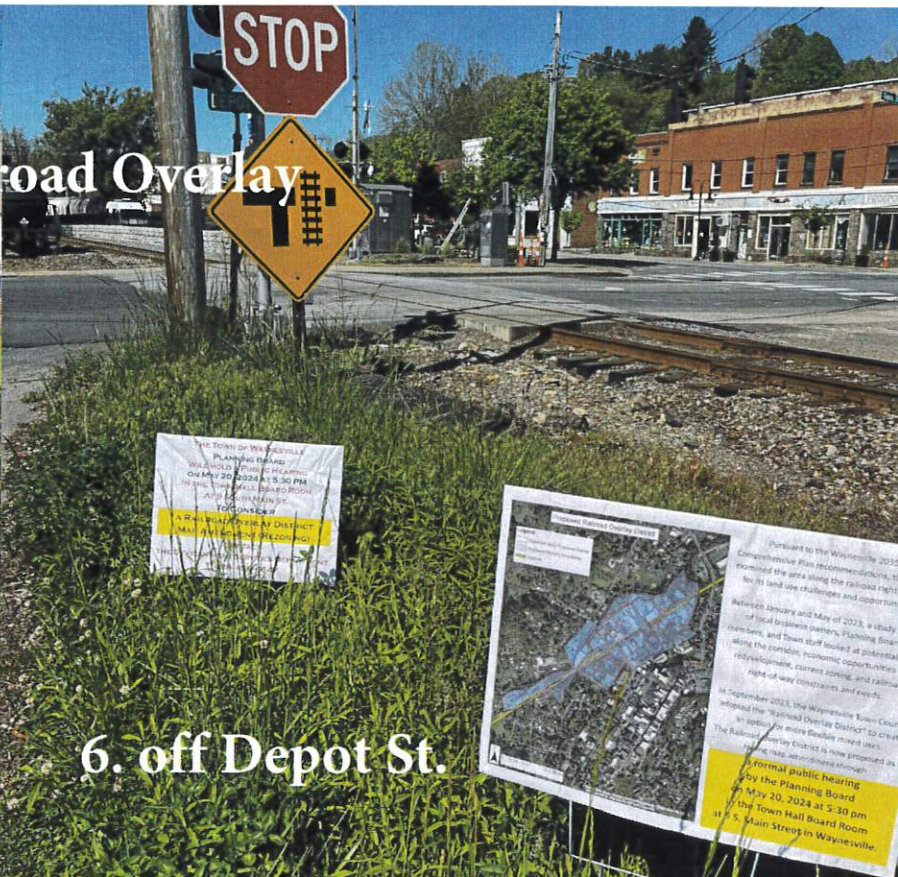
4. off Richland and Miller St.

THE TOWN OF WAYNESVILLE
PLANNING BOARD
WILL HOLD A PUBLIC HEARING
ON MAY 20, 2024 AT 5:30 PM
IN THE TOWN HALL BOARD ROOM
AT 9 SOUTH MAIN ST.
TO CONSIDER
A RAILROAD OVERLAY DISTRICT
MAP AMENDMENT (REZONING)
CONTACT
THE DEVELOPMENT SERVICES DEPARTMENT
T: 828. 456. 8647

Signs Posted on 4-29-24 Frog Level Proposed Railroad Overlay



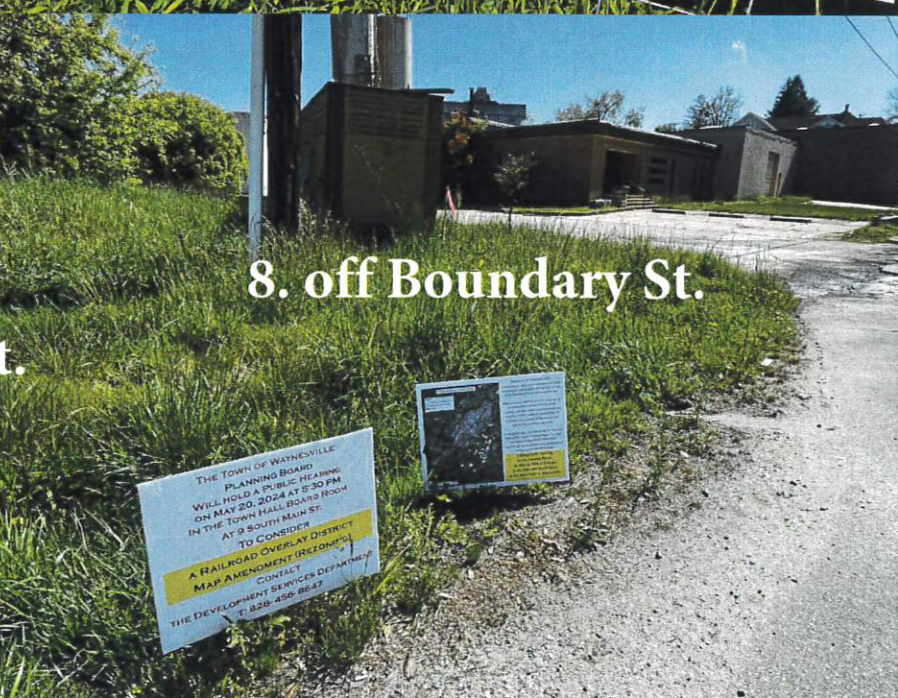
5. off Miller St.



6. off Depot St.



7. off Charles St.



8. off Boundary St.



Signs Posted on 4-29-24 Frog Level Proposed Railroad Overlay

9. off Buffalo Ln.

THE TOWN OF WAYNESVILLE
 PLANNING BOARD
 WILL HOLD A PUBLIC HEARING
 ON MAY 20, 2024 AT 5:30 PM
 IN THE TOWN HALL BOARD ROOM
 AT 9 SOUTH MAIN ST.
 TO CONSIDER
 A RAILROAD OVERLAY DISTRICT
 MAP AMENDMENT (REZONING)
 CONTACT
 THE DEVELOPMENT SERVICES DEPARTMENT
 T: 606-456-8647

10. off Branner Ave.

Proposed Railroad Overlay District

Pursuant to the Waynesville 2035 Comprehensive Plan recommendations, the Board examined the area along the railroad right-of-way for its land use challenges and opportunities.

Between January and May of 2023, a study group of local business owners, Planning Board members, and Town staff looked at potential along the corridor economic opportunities for redevelopment, curbing, and railroad right-of-way constraints and needs.

In September 2023, the Waynesville Town Council adopted the "Railroad Overlay District" to create a region for more flexible mixed uses.

The Railroad Overlay District is now proposed as a zoning map amendment through a public hearing by the Planning Board on May 20, 2024 at 5:30 pm in the Town Hall Board Room at 9 S. Main Street in Waynesville.

Signs posted on 4-29-24

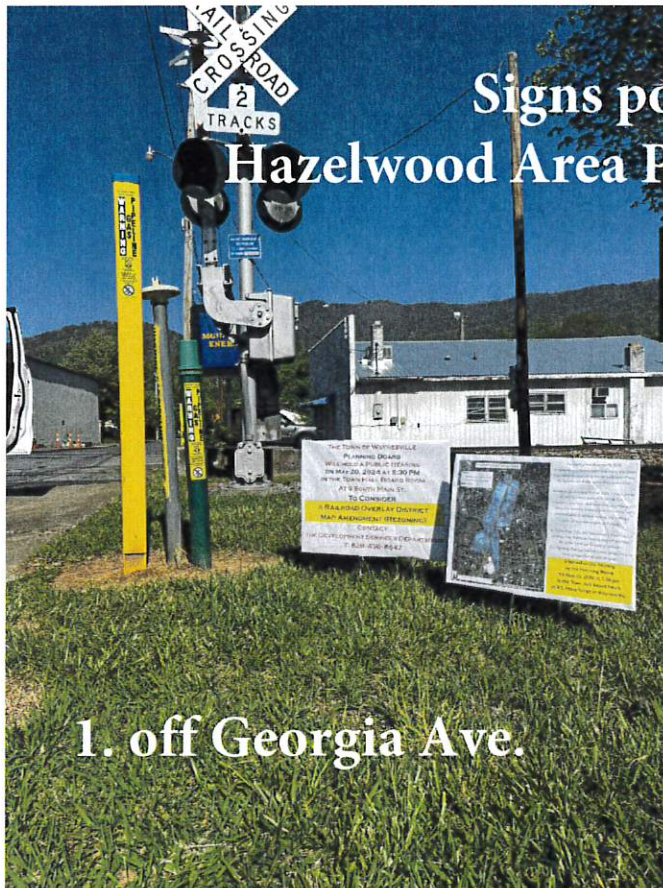
Hazelwood Area Proposed Railroad Overlay

2. off Bennett St.

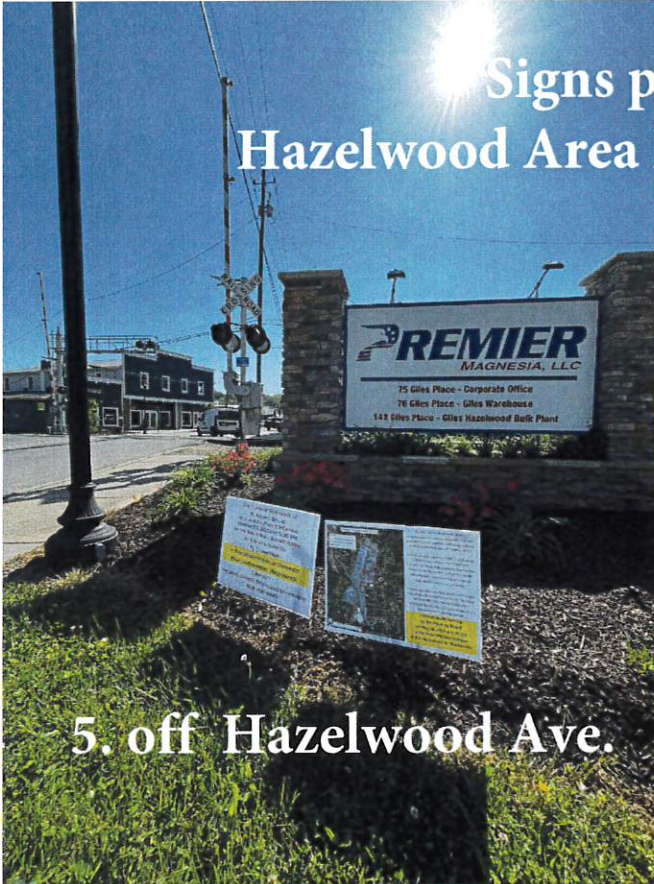
1. off Georgia Ave.

4. off Hazelwood Ave.

3. off Brown Ave.



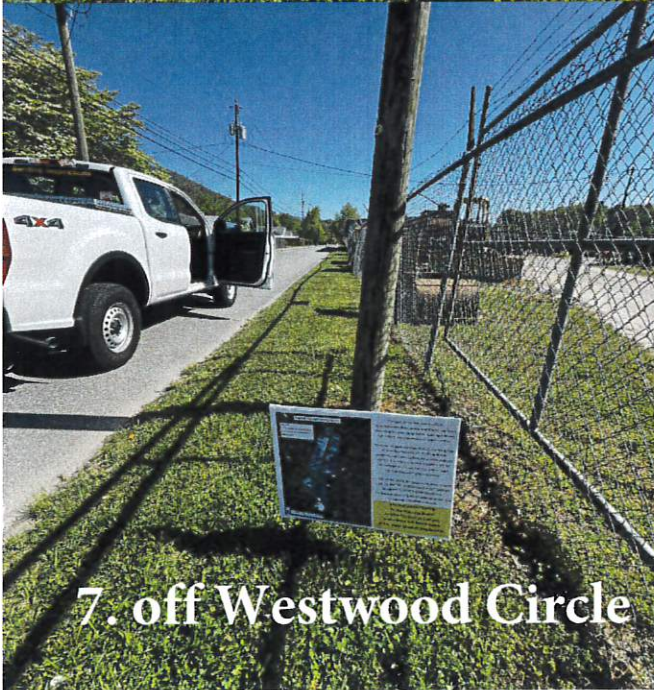
Signs posted on 4-29-24 Hazelwood Area Proposed Railroad Overlay



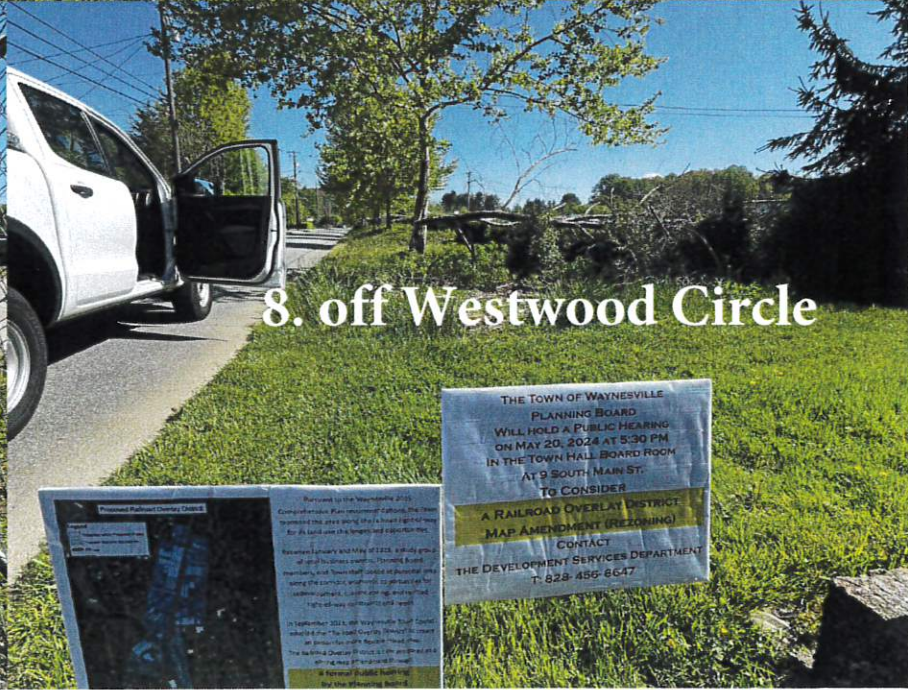
5. off Hazelwood Ave.



6. off Riverbend St.



7. off Westwood Circle

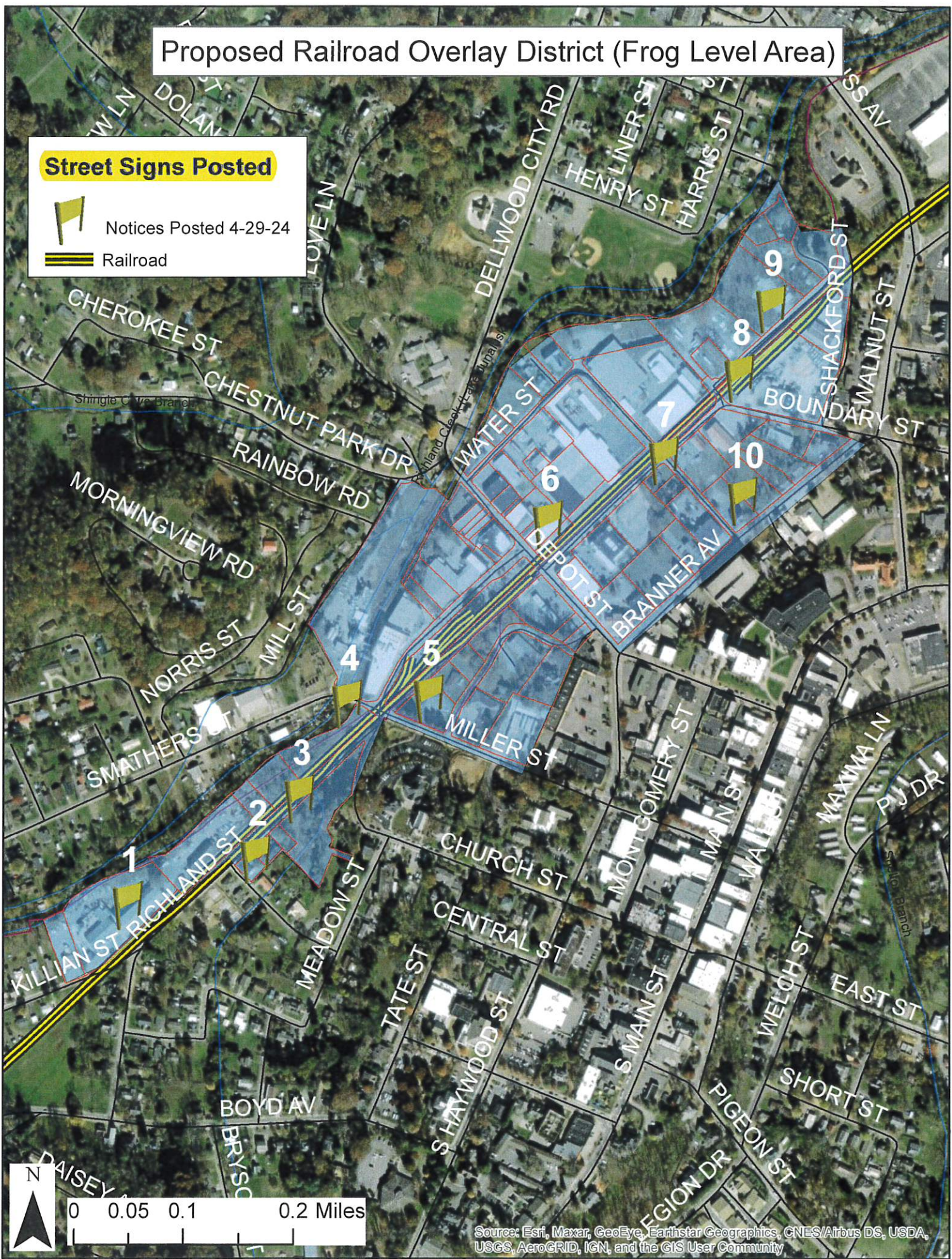


8. off Westwood Circle

Proposed Railroad Overlay District (Frog Level Area)

Street Signs Posted

-  Notices Posted 4-29-24
-  Railroad



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Proposed Railroad Overlay District (Hazelwood Area)

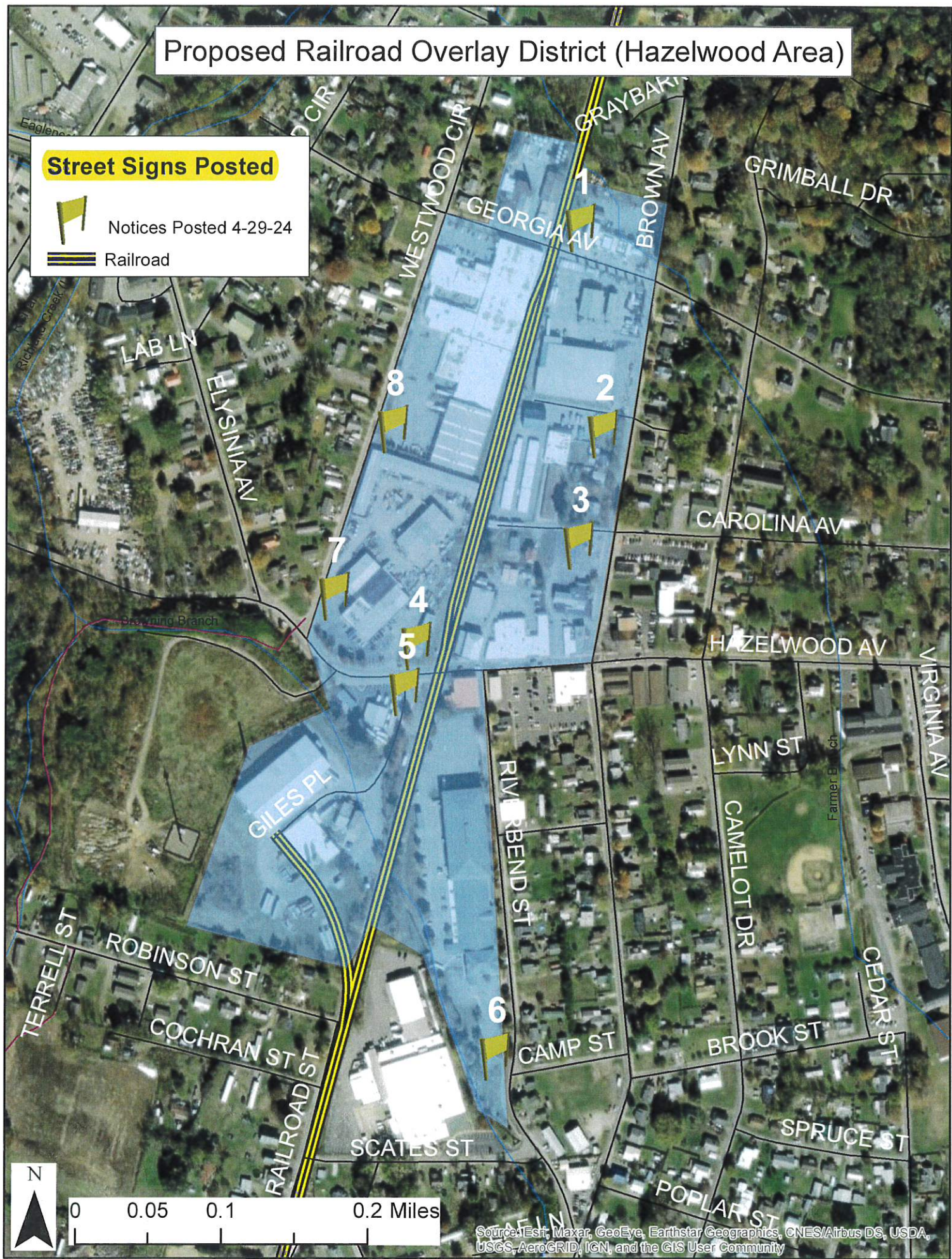
Street Signs Posted



Notices Posted 4-29-24



Railroad





TOWN OF WAYNESVILLE

Development Services Department

PO Box 100
 9 South Main Street
 Waynesville, NC 28786
 Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Public Notice:
Mailed Letter to Property Owners
1 of 3
(maps were attached too)

Notice of Public Hearing
Town of Waynesville Planning Board

Date: April 29, 2024
 Contact: The Town of Waynesville Development Services Department, (828) 456-8647
 Olga Grooman, Assistant Development Services Director, ogrooman@waynesvillenc.gov
 Elizabeth Teague, Development Services Director, eteague@waynesvillenc.gov

The Town of Waynesville Planning Board will hold a public hearing on May 20th, 2024 at 5:30 pm, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a map amendment to create a Railroad Overlay (RR-O) District.

Pursuant to the Waynesville 2035 Comprehensive Plan recommendations, the Town Planning Board examined the area along the railroad right-of-way for its land use challenges and opportunities. In September, 2023, the Waynesville Town Council adopted the "Railroad Overlay District," to create an option for more flexible mixed uses and development standards within the Town's zoning. The Railroad Overlay District is now proposed as a zoning map amendment for the two areas below (Frog Level and Hazelwood areas) through a formal public hearing. **The proposed overlay district maintains existing standards and uses of the current zoning district and introduces additional uses that will be allowed to promote flexibility and more development options for property owners.**

For more information about the railroad corridor study, visit
<https://www.waynesvillenc.gov/departments/development-services/rail-corridor-study>.

To access the Railroad Overlay District ordinance, see Section 2.6.3 of the Town's Land Development Standards (LDS):
<https://www.waynesvillenc.gov/departments/development-services/land-use-zoning-ordinances>

The Railroad Overlay District ordinance and the maps of the proposed districts are attached to this letter for your information.

If you would like to exclude your property from the consideration, please email
ogrooman@waynesvillenc.gov no later than May 20, 2024, by 4:30 pm.

Please do not hesitate to contact us if you have any questions.

Public Notice:
Mailed Letter to Property Owners
2 of 3
(maps were attached too)

Waynesville Land Development Standards. 2.6 Overlay Districts.

2.6.3 Railroad Overlay District.

- A. **Purpose:** The Railroad Overlay District (RR-O) is a zoning overlay district created with the purpose of implementing the goals of the 2035 Comprehensive Land Use Plan to encourage redevelopment along the railroad corridor and to create opportunities within the Town of Waynesville's industrial areas. The goal of the RR-O is to provide more zoning flexibility and promote economic vibrancy of the underutilized areas along the rail tracks.
- B. **Development Standards:** all development standards, including but not limited to density, setbacks, height, etc., of the underlying district apply.
- C. **Permitted Uses:**
- All the uses allowed in the underlying districts remain exactly as they are noted in the Table of Permitted Uses (See LDS 2.5.3).
 - In case of a conflict with the table below, the use as noted for the underlying district in LDS 2.5.3 will prevail (not necessarily the most restrictive).
 - Additional uses for RR-O are specified in the table below. If the use is not allowed in the underlying district but is noted in the table below, then it is permitted in RR-O.
 - Permitted Uses allowed within the RR-O :

Uses	Railroad Overlay Districts (RR-O)
Dwelling-Single Family	PS
Dwelling- Two Family	P
Dwelling- Townhome	P
Dwelling- Cottage	P
Dwelling-Multifamily	P
Dwelling Accessory	PS
Family Care Home (6 or fewer residents)	PS
Halfway Houses	PS
Home Occupation	PS
Live-Work Units	PS
Manufactured Home Parks	SUP
Manufactured Housing	PS
Residential Care Facilities (more than 6 residents)	P
Hotels/Motels	P
Personal Services	P
Professional Services	P
Event Space	SUP

Neighborhood Commercial	P
Neighborhood Restaurant	P
Vehicle & Heavy Equipment Sales/Rental	PS
Vehicle Services- Major Repair/Body Work	PS
Amusements, Outdoor	P
Billiard/Pool Hall	P
Freight Hauling/Truck Terminals	SUP
Mini-Warehouses	SUP
Storage- Warehouse, Indoor Storage	P
Manufacturing, Light	P
Manufacturing, Light	P
Produce Stands in Conjunction with Crop Production	P
Wireless Communications Facility, Mini	PS
Wireless Communications Facility, Macro	PS
Monopole Wireless Communications Tower	SUP

P- Permitted, PS- Permitted subject to additional standards in Chapter 3, SUP- Special Use Permit required (See Chapter 3 and 15).

Public Notice:
Mailed Letter to Property Owners
3 of 3
(maps were attached too)

Ordinance Establishing Railroad Overlay in LDS

ORDINANCE NO. O-38-23

AN ORDINANCE AMENDING THE TEXT OF THE TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town of Waynesville Comprehensive Plan 2035 recommends the creation of “a railroad overlay district to encourage redevelopment along the railroad corridor, especially in areas with access to existing/future greenway;” and “to create opportunities within the Town of Waynesville’s industrial areas and along the railroad corridor;” and

WHEREAS, the Town of Waynesville Planning Board conducted a study of the railroad corridor and has proposed text amendments to the Land Development Standards which it finds to be consistent with the 2035 Comprehensive Plan and are reasonable and in the public interest; and

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Town Council; and

WHEREAS, after notice duly given, a public hearing was held on July 17, 2023 at the regularly scheduled meeting of the Waynesville Planning Board, and on September 12, 2023 at the regularly scheduled meeting of the Waynesville Town Council;

WHEREAS, the Town of Waynesville Town Council find that the proposed text amendments are consistent with the 2035 Comprehensive Plan and are reasonable and in the public interest because they meet the following goals:

- Goal #1: to “promote smart growth in land use planning and zoning;” by encouraging infill, mixed-use, and context sensitive development, and implementing a railroad overlay district to encourage redevelopment along the corridor, especially will reinforce the unique character of Waynesville; and
- Goal#5: to “create opportunities for a sustainable economy,” by promoting the growth of the existing local businesses, promote Waynesville’s downtown districts, inns, restaurants, and reputation as as the “gateway to the Smokies.”

WHEREAS, the Town Council find this Ordinance to be consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON SEPTEMBER 12, 2023 AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows (in red):

1. Amend Section 2.5.3 of the LDS as follows:

2.5.3 Table of Permitted Uses (rev. 2012, 2016,2017, 2018, 2020, 2022, 2023):

For uses permitted in the Railroad Overlay District (RR-O), see Section 2.6 Overlay Districts of the LDS.

USE TYPES	Residential-Low Density Districts (RL)				Residential-Medium Density Districts (RM)				Neighborhood Residential (NR)						
	CC-RL	EN-RL	FC-RL	HT-RL	CP-RM	D-RM	HM-RM	SW-RM	AC-NR	LL-NR	MS-NR	N-NR	PS-NR	PC-NR	RC-NR
RESIDENTIAL															
Dwelling-Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling-Two Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling-Townhome	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling - Cottage	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling-Multifamily	-	-	-	-	P	P	-	P	P	P	P	P	P	P	P
Dwelling-Accessory	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Family Care Home (6 or fewer residents)	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Halfway Houses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Home Occupation	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Live-Work Units	PL/PS	-	-	-	-	PL/PS	-	PL/PS	-	PL/PS	-	PL/PS	-	-	PL/PS

2. Amend the LDS Section 2.6 Overlay Districts as follows:

2.6.3 Railroad Overlay District.

A. **Purpose:** The Railroad Overlay District (RR-O) is a zoning overlay district created with the purpose of implementing the goals of the 2035 Comprehensive Land Use Plan to encourage redevelopment along the railroad corridor and to create opportunities within the Town of Waynesville’s industrial areas. The goal of the RR-O is to provide more zoning flexibility and promote economic vibrancy of the underutilized areas along the rail tracks.

B. **Development Standards:** all development standards, including but not limited to density, setbacks, height, etc., of the underlying district apply.

C. **Permitted Uses:**

- All the uses allowed in the underlying districts remain exactly as they are noted in the Table of Permitted Uses (See LDS 2.5.3).
- In case of a conflict with the table below, the use as noted for the underlying district in LDS 2.5.3 will prevail (not necessarily the most restrictive).
- Additional uses for RR-O are specified in the table below. If the use is not allowed in the underlying district but is noted in the table below, then it is permitted in RR-O.
- Permitted Uses allowed within the RR-O¹:

¹ P- Permitted, PS- Permitted subject to additional standards in Chapter 3, SUP- Special Use Permit required (See Chapter 3 and 15).

Uses	Railroad Overlay Districts (RR-O)
Dwelling-Single Family	PS
Dwelling- Two Family	P
Dwelling- Townhome	P
Dwelling- Cottage	P
Dwelling-Multifamily	P
Dwelling Accessory	PS
Family Care Home (6 or fewer residents)	PS
Halfway Houses	PS
Home Occupation	PS
Live-Work Units	PS
Manufactured Home Parks	SUP
Manufactured Housing	PS
Residential Care Facilities (more than 6 residents)	P
Hotels/Motels	P
Personal Services	P
Professional Services	P
Event Space	SUP
Neighborhood Commercial	P
Neighborhood Restaurant	P
Vehicle & Heavy Equipment Sales/Rental	PS
Vehicle Services- Major Repair/Body Work	PS
Amusements, Outdoor	P
Billiard/Pool Hall	P
Freight Hauling/Truck Terminals	SUP
Mini-Warehouses	SUP
Storage- Warehouse, Indoor Storage	P
Manufacturing, Light	P
Produce Stands in Conjunction with Crop Production	P
Wireless Communications Facility, Mini	PS
Wireless Communications Facility, Macro	PS
Monopole Wireless Communications Tower	SUP

ADOPTED this 12th Day of September, 2023.

TOWN OF WAYNESVILLE

J. Gary Caldwell
J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton
Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Shaye Bradley
Martha Bradley, Town Attorney