CHAPTER 2: DISTRICT PROVISIONS

2.1 Official Land Development Map.

2.1.1 Official Land Development Map.

In accordance with 160D-105, the adopted zoning district boundaries and zoning overlays shall be shown on a map of the Town of Waynesville which shall be known as the Official Land Development Map, and such map is hereby incorporated into these Land Development Standards for the Town of Waynesville.

Zoning district maps and a copy of the currently effective version of any incorporated map shall be maintained for public inspection in the Waynesville Development Services Department.

The Official Land Development Map shall be maintained in the Waynesville Development Services Department and a copy shall be kept on file with the Town Clerk. Copies of the Official Land Development Map shall be provided upon request and, when certified by the town clerk in accordance with G.S. 160A-79 or G.S. 153A-50, shall be admissible into evidence and shall have the same force and effect as would the original map.

Zoning district boundaries are automatically amended to remain consistent with the incorporated map upon Town Council approval of zoning map amendments.

2.1.2 Adoption of Other Maps by Reference.

North Carolina flood insurance rate maps, watershed boundary maps, and state surface water maps officially adopted and promulgated by State and federal agencies are hereby adopted and incorporated into these Land Development Standards in their most recently adopted version by reference.

The Town of Waynesville Municipal Services District map, Powell Bill Map, Comprehensive Pedestrian Plan, Parks and Recreation Master Plan, and local and federally designated historic districts and landmarks are hereby adopted and incorporated into these Land Development Standards in their most recently adopted version by reference.

2.1.3 Interpretation of Land Development Map.

The following rules of interpretation shall be applicable to the Land Development Map for the Town of Waynesville.

A. **Land Development District Designation:** A district name on the land development map indicates that the regulations pertaining to the district designated by that name, or abbreviation of the same, extend throughout the whole area bounded by the district boundary lines within which such name or abbreviation is shown, except as otherwise provided.

B. **District Boundary Determination.**

1. Where uncertainty exists as to the boundaries of any land development district, the Administrator shall interpret the location of the land development district boundaries. An appeal from an interpretation or finding of the Administrator may be taken to the board of adjustment as specified in Section 15.12 of this ordinance.

2. District boundaries indicated as approximately following centerlines of streets, highways or alleys shall be construed to follow such centerlines.

3. District boundaries indicated as approximately following platted lot lines shall be construed as following such lines.

4. District boundaries indicated as approximately following town limit lines shall be construed as following such town limits.
5. District boundaries indicated as approximately following railroad lines shall be construed to the midway between the main tracks.
6. District boundaries indicated as approximately following centerlines of streambeds or other bodies of water shall be construed to follow such centerlines.
7. District boundaries indicated as approximately parallel to or extensions of any of the features noted in the aforementioned provisions shall be so construed and at such distance there from as indicated on the official copy of the land development map. Distances not specifically indicated on the official copy of the land development map shall be determined by the scale of such map.
8. Where the land development map shows a district boundary dividing a lot, each part of the lot shall conform to the standards established by this ordinance for the land development or overlay district in which that part is located.

(Ord. No. O-11-21, § 3, 6-22-2021; Ord. No. O-28-24, § 2, 6-11-2024)

2.2 Districts by District Type.

The following 30 base districts are organized into categories that standardize various regulations while allowing some limited customization of each district.

District Category	District Name
Rural Conservation (RCON)	Rural Conservation District (RCON)
Residential—Low Density (RL)	Country Club Residential - Low Density (CC-RL) Eagles Nest Residential - Low Density (EN-RL) Francis Cove Residential - Low Density (FC-RL) Hall Top Residential - Low Density (HT-RL)
Residential—Medium Density (RM)	Chestnut Park Residential - Medium Density (CP-RM) Dellwood Residential - Medium Density (D-RM) Howell Mill Residential - Medium Density (HM-RM) South Waynesville Residential - Medium Density (SW-RM)
Neighborhood Residential (NR)	Allens Creek Neighborhood (AC-NR) Love Lane Neighborhood (LL-NR) Main Street Neighborhood (MS-NR) Ninevah Neighborhood (N-NR) Pigeon Street Neighborhood (PS-NR) Plott Creek Neighborhood (PC-NR) Raccoon Creek Neighborhood (RC-NR) Sulphur Springs Neighborhood (SS-NR) Walnut Street Neighborhood (WS-NR)
Urban Residential (UR)	East Waynesville Urban Residential Neighborhood (EW-UR) Hazelwood Urban Residential Neighborhood (H-UR) Howell Mill Urban Residential Neighborhood (HM-UR)
Neighborhood Center (NC)	North Main Street Neighborhood Center (NM-NC) Pigeon Street Neighborhood Center (PS-NC) Raccoon Creek Neighborhood Center (RC-NC)

Business District (BD)	Central Business District (CBD) Hazelwood Business District (H-BD) South Main Street Business District (SM-BD)
Regional Center (RC)	Dellwood/Junaluska Regional Center (DJ-RC) Hyatt Creek Regional Center (HC-RC) Russ Avenue Regional Center (RA-RC)
Commercial Industrial (CI)	Commercial-Industrial (CI)

(Ord. No. O-01-15, § 2, 1-27-2015; Ord. No. 04-16, 6-14-2016; Ord. No. O-06-22, § 4, 3-22-2022)

2.3 Purpose and Intent by District.

2.3.1 Rural Conservation District Purpose and Intent

A. **The Rural Conservation District (RCON)** is established pursuant to the 2035 Comprehensive Plan as an owner-initiated district designation that promotes the preservation of agricultural lands, undeveloped floodplain, forest, mountainous areas, and open space. This district is primarily single-family homes, hobby farms, bona-fide farms, and other agricultural land, with limited allowance for other uses within the civic/institutional, agricultural, and infrastructure categories. New development and subdivisions shall promote low impact development approaches, focusing on large lot single family development with the option for higher density clustered development by conserving significant area for open and civic space. Use of the cottage development and conservation subdivision options found in section 15.9.5 is encouraged.

2.3.2 Residential—Low Density Districts (RL) Purpose and Intent.

A. **The Country Club Residential—Low Density District (CC-RL)** is an area predominately comprised of large lot subdivisions with the Waynesville Country Club serving as its social and recreational center. While single-family homes are the dominant residential use in this area, townhouses and accessory apartments are also permitted. Connections to the South Main Street Business District should be enhanced as new development takes place. A residential scale is required for all new development. Tree preservation and proliferation along the South Main Street corridor is critical to the ambiance of the area.

B. The **Eagles Nest Residential—Low Density District (E-RL)** is a rural district characterized by beautiful views afforded by steep terrain. Water service is available throughout much of the area but sewer service is limited. Future development shall be sensitive to the terrain with grading minimized through the use of good design, clustered development and large lot development. Clear cutting for views is unacceptable; appropriate trimming of trees for vistas is preferred. As this is an area dominated by private development, it will be important in the future to acquire public park land especially at elevations exceeding three thousand (3,000) feet above mean sea level. Land conservation easements are encouraged. Possible road connections shall be evaluated as new streets are constructed in an effort to improve connectivity without jeopardizing the natural beauty of the area. Sidewalks are not required except in major residential developments due to the rural mountain character of the district.

C. The **Francis Cove Residential—Low Density District (FC-RL)** is an area that will remain as a very sparsely developed area. Few urban services are available in this area to support dense development and the topography poses a limitation on development as well. Agricultural and residential uses will be the predominant future land use. Maintaining the rural character of this area will be an important focus. Clustering future development in small areas while leaving large areas undeveloped will be critical in achieving this goal.

D. The **Hall Top Residential—Low Density District (HT-RL)** is a rural district characterized by steep terrain and narrow winding roads. Despite the difficulty of developing in this district and the limited provision of services, the proximity to the Russ Avenue and Dellwood/Junaluska Town Centers makes the location an attractive one for the variety of residential developments permitted in this area. Large lot development is the standard with cluster development respecting the terrain encouraged so as to leave as much open space as possible. Road design will also consider the terrain with narrow road widths permitted and sidewalks not required. Linking developments with trails is encouraged.

2.3.3 Residential—Medium Density Districts (RM) Purpose and Intent.

A. The **Chestnut Park Residential—Medium Density District (CP-RM)** is a well-established older neighborhood bordering the Central Business District. This linear neighborhood is served mainly from a single road. This road, which leads into the Eagles Nest Mountain area, is one of the few roads in Waynesville that crosses under Highway 23/74. Due to the interference of the highway and limited access into the neighborhood itself, as future development occurs, connections into adjoining neighborhoods (i.e., connecting Shingle Cove Road to Laurel Ridge) are important to keep Chestnut Park Road from becoming too heavily traveled. Pedestrian and bicycle amenities connecting the neighborhood to Chestnut Park and adjoining areas will be developed. Medium density residential development will be the predominant land use in the area.

B. The **Dellwood Residential—Medium Density District (D-RM)** shall develop predominately as a low to medium density residential district separating the Russ Avenue and Dellwood/Junaluska Town Centers. Promoting a mixture of residential densities, this district shall be developed with such enhancements to residential living as pedestrian access and the provision of open space. Higher density development and limited business and professional services shall be promoted along Russ Avenue with larger lots and cluster development promoted throughout the district. Nonresidential uses typically found in residential areas are permitted, however, development in this district shall be designed to clearly define the residential appearance and scale of the area and to define the differences between this area and the Russ Avenue Town Center and Dellwood/Junaluska Area Center.

C. The **Howell Mill Residential—Medium Density District (HM-RM)** shall develop as a residential neighborhood providing a mix of housing types and densities. Long, narrow lots are encouraged to provide for the establishment of good block widths throughout the area. Higher density housing is encouraged south of Howell Mill Road with lower density housing provided to the north. The center of the neighborhood is the Waynesville Recreation Center, providing recreational and social opportunities for all of Waynesville but with particular convenience and importance for those residing in this district. The proximity of this area to Russ Avenue shall be enhanced with improved transportation connections. Development occurring off of Howell Mill Road shall also incorporate connectivity between streets and shall include, where appropriate, pedestrian access to the Recreation Center and the Richland Creek Greenway. Nonresidential uses typically found in residential areas are permitted.

D. The **South Waynesville Residential—Medium Density District (SW-RM)** will develop in the future as a low density residential area with some limited mixed uses allowed along Old Balsam Road. The entry to the town from the south, it needs to develop in a manner that reflects development in Waynesville — attractive buildings, the maintenance of the natural beauty of the area, etc. An area of difficult slopes, floodplains, and a limited access highway, development has been and will continue to be checked by many of these constraints. As this is a non-urban area on the edge of town, development standards are minimal.

2.3.4 Neighborhood Residential Districts (NR) Purpose and Intent.

A. The **Allens Creek Neighborhood District (AC-NR)** is a predominately residential neighborhood of mostly medium density development mixed with agricultural uses. Due to the linear nature of the neighborhood, Allen's Creek Road becomes the "center" of the community and as such, maintaining a "pedestrian-friendly" environment is important. As development occurs, such things as building houses closer to the

street, requiring sidewalks and planter strips and allowing narrow lane widths for new streets will help to maintain the pedestrian scale in the area which has already been started. Traffic calming devices may be needed to aid with maintaining a low speed (especially with large trucks) along Allens Creek Road. Connections from within the district to the South Main Street Business District are important and should be made wherever possible. Efforts will be made to preserve existing farmland and restrict development on the steep slopes found in this district. The county soccer complex should be emphasized as a focal point of activity and community for this neighborhood.

B. The **Love Lane Neighborhood District (LL-NR)** is an older, traditional neighborhood bordered by the Russ Avenue Town Center on one side and the Central Business District on the other. One of the oldest neighborhoods in the town and one of the first to be settled, it has the advantages of having a great location, sufficient urban facilities and a mixture of housing types and styles. The area between Richland Creek and Dellwood Road has an excellent stock of smaller bungalow style homes on small lots. This is an enormous asset to the Town due to its proximity to Russ Avenue and Downtown, as it contains good, affordable housing within walking distance of many amenities. This asset will only improve as Russ Avenue develops into a more pedestrian friendly area. For this reason, this type of development should be encouraged, maintained and continued in this area. Connectivity to the ball fields, Downtown, The Richland Creek Greenway and Russ Avenue should be improved, both for vehicles and pedestrians. Sidewalks and street trees will be required throughout the district. Development along Richland Creek should be sensitive to the location. The area to the northwest of Dellwood Road enjoys some of the oldest housing stock in Waynesville. Maintaining this stock and enhancing any additional development will continue to be important. Street trees will be required throughout the district. Dellwood Road, containing a mix of office, residential and service uses, needs to maintain a pedestrian scale and any improvements should enhance the comfort level of the pedestrian. Driveways accessing Dellwood Road should be kept to a minimum for this reason. Future plans are to improve this corridor as part of a connector (including Smathers Street and Brown Avenue) to alleviate some of the traffic along Main Street. Development will, therefore, complement this road improvement in addition to being of an appropriate scale and design for close proximity with vital, urban residential areas.

C. The **Main Street Neighborhood District (MS-NR)** is a walkable, in-town neighborhood separating two business districts — the Central Business District and the South Main Street Business District. In addition to the convenient location, the public library, Central Elementary School and many larger, older homes are among the amenities that make this area attractive for residential living. Future development should work to maintain this attractive area, continuing a scale and design that will attract ongoing residential use of this district. The dense tree canopy currently found in the area will be maintained and sensitivity to this canopy and the improvement of pedestrian facilities will be important with any new development.

D. The **Ninevah Neighborhood District (N-NR)** is a well-established residential community containing a mix of housing types. As sufficient urban facilities are available in this district, it is proposed to develop more densely, but still at a small residential scale. Sidewalk development will be required to establish connectivity throughout the neighborhood. The public center of the community (at the intersection of Oakdale Road, Crymes Cove Road and Country Club Drive) should be enhanced and should allow for uses which would serve the daily needs of the residents of the area as well as those uses that serve as community gathering places.

E. The **Pigeon Street Neighborhood District (PS-NR)** is a residential community enjoying proximity to Downtown Waynesville and a strong neighborhood center of its own. A mix of medium to high density residential development will continue to occur in this area which already has a strong street system. An attractive pedestrian realm will be established as new development occurs, as will connections between the various neighborhoods in this district and the neighborhood center. The establishment of such connections and the management of traffic to make the area more conducive to pedestrians are important considerations as any improvements to Pigeon Street are made in the future.

F. While it is semi-rural currently, as the **Plott Creek Neighborhood District (PC-NR)** develops it should do so in a manner which complements its location near the Hazelwood Town Center, and the Hazelwood Elementary School which is within its boundaries. Infrastructure should be well connected and networked (including sidewalks, streets, water/sewer, etc.) and other infrastructure needs should be addressed (such as recreational opportunities) as the area develops. Special care should be taken to enhance the natural features of the area, such as the mountain slopes and the creek, so that they become an integral part of the community. Connections (roads, trails, etc.) to other districts, such as Hyatt Creek area and to the large mountain tracts at the end of Plott Creek, are also important and must be considered as the area develops.

G. The **Raccoon Creek Neighborhood District (RC-NR)** is a medium density residential area surrounding one of the major entrances into Waynesville — Business 23. There are two centers for this area — the Ratcliff Cove Neighborhood Center and the Junaluska School/ballfield area within the district itself. Water service is available throughout much of the district with sewer available along Business 23 and Francis Farm Road. Higher density development is encouraged west of Business 23 with lower density clustered development proposed to the east. It is suggested that the County explore recreational uses on the landfill property on Francis Farm Road — an area that could become another focal point for the community. Development will occur at a residential scale. Development fronting onto Business 23 must form a street wall along this entryway into town.

H. The **Sulphur Springs Neighborhood District (SS-NR)** is located in a convenient in-town setting — bordered by the Hazelwood Town Center, the Central Business District, Highway 23/74 and Richland Creek. Due to the proximity to two town centers, the area is ideal for high quality dense development. The addition of pedestrian amenities and traffic calming measures will improve the walkability of the area. Interconnecting roads as the area develops is paramount to keeping Sulphur Springs Road from becoming overly traveled. The passive park that exists where the spring house for the old Sulphur Springs Hotel was located should be redesigned to become more of an amenity and center for those who live in the area. Connections with the greenway that is developed along Richland Creek will add to the beauty of this neighborhood.

I. The **Walnut Street Neighborhood District (WS-NR)** is an important, older, in-town, heavily canopied neighborhood district separating three major centers: the Russ Avenue Town Center, the North Main Street Boulevard District and the Central Business District. This district will continue to develop with a strong residential core of medium-density, single family homes surrounded by appropriately designed service and business uses along Walnut and North Main Streets. Any new development in this area needs to maintain the high quality of building construction present in the district. A residential scale will be required for all new development. As the lots in this district are larger, and due to the walkable nature of the area, accessory dwellings are encouraged. Sidewalks, which are found throughout the district, will be required for any new development. The tree canopy, which defines the area, must be enhanced with future development in order to continue the differentiation between this district and the adjoining, more urban districts.

2.3.5 Urban Residential Districts (UR) Purpose and Intent.

A. The **East Waynesville Urban Residential District (EW-UR)** is an urban neighborhood of mostly medium to high density residential development bordering the Waynesville town center. Higher density development is encouraged closer to town with lesser densities found as the district approaches areas with steeper slopes. A number of public spaces are found in this district including the East Street and Vance Street parks. It will be important as new development and redevelopment occurs for connections to be made to such public spaces and throughout the district.

B. The **Hazelwood Urban Residential District (H-UR)** is a traditional walkable neighborhood of mostly small, well-built housing in an area where sufficient urban facilities are available. It is a self-contained community with affordable housing, smaller well-kept lots, narrow tree-lined streets and distinct edges

and centers. Major public spaces including a park and the "old" Hazelwood School are located in this neighborhood. Since it is convenient to shopping and employment, the goal for Hazelwood is to encourage infill development and the rehabilitation of existing structures in keeping with the residential scale and character of the existing neighborhood. Limited non-residential uses supporting the community are permitted if contributing in scale, design and use to the area. Pedestrian amenities are to be enhanced with all new development as are the development of access points to different parts of Waynesville from the Hazelwood neighborhood. Parking on public streets is permitted and encouraged as an alternative to the development of new parking lots.

C. The **Howell Mill Road Urban Residential District (HM-UR)** is a transitional neighborhood that buffers rural and medium density residential areas from the intense commercial uses found within the Russ Avenue Regional Center District. It is convenient to town and the Recreation Center and served by the multi-modal Howell Mill Road, yet valued for its green spaces, vistas and peaceful character. Future development should build on, and connect to, this transportation infrastructure and accommodate vehicles, pedestrians and cyclists and be of a residential scale and design.

2.3.6 Neighborhood Center Districts (NC) Purpose and Intent.

A. The **North Main Street Neighborhood Center District (NM-NC)** is a mixed-use district that forms the gateway into town from the northeast. The setting of this district is important as it frames Eagles Nest Mountain at the apex of the hill on North Main and forms a forced perspective to the "center" of the district — the intersection of Walnut and Main Streets. As a result, maintaining inviting vistas down Main Street and creating an attractive public realm are the objective of many of the standards set forth for this district. Street walls, boulevard trees and sign control will all be important in meeting these objectives as the street is redesigned. Working to keep traffic congestion to a minimum in this area will require the use of rear access drives, side street entrances and shared driveway connections. The uses found in the North Main Street Boulevard District serve not only the surrounding neighborhoods, but all of the Waynesville community and are varied in nature.

B. The **Pigeon Street Neighborhood Center District (PS-NC)** is a neighborhood mixed-use district providing goods, services and employment opportunities to residents of the Pigeon Street area and surrounding neighborhoods. The location for a number of significant community facilities, this center needs to continue to develop in an attractive manner, retaining the pedestrian scale of existing development and respecting the history of the community. The Pigeon Street Neighborhood Center should be the hub of the community, and care must be taken as to not allow Highway 276 to become a dividing line in the community. In order to accomplish this, the buildings on both sides will need to be well articulated and close to the street, development will need to provide high quality pedestrian amenities and streetscapes and the traffic should be calmed, managed and predictable.

C. The **Raccoon Creek Neighborhood Center District (RC-NC)** is a small neighborhood center that functions as a gathering place for those residing in the rural and neighborhood districts found in East Waynesville. A highly mixed-use district, this area will develop into a small scale, pedestrian friendly setting with design criteria supporting such development. The creation of an inviting streetscape and pedestrian connections are important — both within the center and to adjoining neighborhoods. Efforts to calm and manage the traffic at the center will be important in this busy area as will the sharing of parking and the development of "park and walk" amenities. As this is at an entrance to Waynesville, architectural and site design should be of the highest quality.

2.3.7 Business Districts (BD) Purpose and Intent.

A. As the civic and cultural center for the town, the **Central Business District (CBD)** is designed to preserve Downtown Waynesville as the primary civic, retail, office, institutional, cultural and entertainment center of the community. Expansion of what has been known as the Central Business District area into Frog Level will secure the relationship of the two areas and encourage the further redevelopment of Frog Level, including the development of a "town square" in the area. Building design, parking and transportation

improvements in the Central Business District should focus on the comfort and enjoyment of the pedestrian while promoting the development of a well-balanced transportation system, including the reinstitution of the old train depot in Frog Level. Residential development in the form of multi-family development and dwelling units in the second floor of buildings is strongly encouraged. Infill opportunities and high density development, respecting the historic fabric of the area are envisioned. Public parking areas are recommended as opposed to the generation of private parking facilities.

B. The **Hazelwood Business District (H-BD)** is a small scale center for business, retail and institutional activity serving the residents of Hazelwood, Plott Creek, Eagles Nest and other surrounding neighborhoods. A broad mixture of uses is permitted, however, development in the future must be sensitive in design and provide for a high level of pedestrian safety and comfort. The large undeveloped tracts of land in this district must be well connected both to the neighborhood and the center as they develop. On-street parking is permitted and encouraged on many streets. Articulation in this area should occur at the scale of the pedestrian with buildings built at the scale of a neighborhood center. Connections among properties within this district and to surrounding districts are very important.

C. The **South Main Street Business District (SM-BD)** is a densely developed area that has and will continue to contain a broad mix of land uses. The proximity of this district to so many neighborhoods (Allens Creek, Hazelwood, Country Club, Saunook and Old Balsam) and the variety of services provided here make pedestrian amenities and efficient vehicular movement critical. To help alleviate some of the traffic along the South Main corridor, the existing road network on the west side of this district needs to be continued with rear access drives created as development takes place to the east. Limitations on curb cuts, the institution of traffic calming measures, the prohibition of parking backing on to the street and the planting of street trees will enhance both the driving conditions and walkability of this area. A high priority shall be given to a high quality streetscape along South Main Street. The scale of development in the district will be flexible but articulated to the scale of the pedestrian. Housing mixed in with other uses is strongly encouraged.

2.3.8 Regional Center (RC) Districts Purpose and Intent.

A. The **Dellwood/Junaluska Regional Center District (DJ-RC)** will develop in the future into a hub for retail, service and employment uses serving Waynesville and the region. It is envisioned that such uses be concentrated here in order to limit sprawling strip commercial development in the area. The vision for the district is that of a well-defined area, but one designed to accommodate large-scale development. Development should encourage the intermixture of uses and provide for residential uses in addition to those uses heavily dependent on the automobile. Transportation improvements made in this district will form a network of roads and pedestrian ways and provide accommodations for all modes of travel. An improved Russ Avenue with a landscaped median should enhance the traffic situation in the area. Rear accessways connecting adjacent development shall be required to provide access between development supplementary to the public streets. The outdoor auditorium at Lake Junaluska will serve as the town center for this area.

B. The **Hyatt Creek Regional Center District (HC-RC)** will develop as a mixed-use center containing retail, service and employment uses to serve Waynesville and the region. Although conveniently located off a major highway exit, development in this district, while accommodating uses to serve those in a wide area, must be developed with sensitivity to the surrounding rural setting. Standards for development include a dense tree canopy requirement, a high impervious surface ratio, and measures to protect creeks and drainage areas. Road improvements should be limited to projects that improve the road network and provide traffic calming measures while not destroying the narrow, rural nature of the road system. Large-scale development can be accommodated here with such development encouraged to contain a mix of uses. Housing mixed in with other uses is strongly encouraged.

C. The **Russ Avenue Regional Center District (RA-RC)** is a gateway for the community and often defines the first image a visitor has of the town. This district shall be a setting for high intensity land uses addressing

the needs of the Waynesville community and surrounding areas. The Russ Avenue Town Center is envisioned as supporting dense development options due to the ample infrastructure in place and the proximity to downtown and the other municipalities in the county. The past emphasis in the Russ Avenue area on automobile traffic only shall be reduced by changing the nature of the district to make the area comfortable for other modes of transit including pedestrian, bicycle and mass transportation options. Central to this transformation is the redesign of Russ Avenue — turning the existing middle lane into a tree-lined landscaped median. The standards for future development along this corridor will also be important to this transformation, incorporating principles designed to manage access along Russ Avenue. The development of an accessway connecting the rear portions of lots fronting on Russ Avenue will further reduce traffic congestion along the Russ Avenue corridor. Building development in the area is designed to create a comfortable streetscape and public realm by bringing buildings closer to the street, providing sidewalks and street trees and providing access between development and public areas. The mixture of residential and commercial uses is encouraged. Development sensitive to the appearance of the corridor is essential within this district. The highway bridge forms a gateway into the area (and the town) and any future designs should be sensitive to this fact.

2.3.8 Commercial Industrial Districts Purpose and Intent.

A. The **Commercial Industrial District (CI)** is an area designed to accommodate research and development, industrial and manufacturing uses, administrative facilities and limited supporting commercial services. While a broad mixture of uses is permitted, the principal focus in this area shall be on industrial development. High design and performance standards will be important for future development as this district is highly visible not only from a usage standpoint but also because of its location at one of the major entrances into Waynesville. Connectivity within the district is required to create an industrial campus feel within this area.

(Ord. No. 04-16, 6-14-2016)

2.4 Dimensional Standards by District.

2.4.1 Table of Dimensional Standards by Residential District.

Standard	Rural Conservation (RCON)	Residential—Low Density (RL)	Residential—Med. Density (RM)	Neighborhood Residential (NR)	Urban Residential (UR)
1. Applicable Districts	RCON	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, SS-NR, WS-NR	EW-UR, H-UR HM-UR
2. Development Standards					
a. Density (max base)	2.5 units/acre	6 units/acre	8 units/acre	10 units/acre	16 units/acre
b. Density (max with SUP)	6 units/acre	12 units/acre	12 units/acre	16 units/acre	24 units/acre
c. Civic Space (min) per CH 7	Refer to Section 7.3	Refer to Section 7.3	Refer to Section 7.3	Refer to Section 7.3	Refer to Section 7.3
3. Lot Standards					
a. Lot Area—House	½ acre	½ acre	¼ acre	⅙ acre	⅙ acre
b. Lot Area—All bldg. types with rear vehicular access	4000 sqft with 40% Civic Space	Subject to density	Subject to density	Subject to density	Subject to density
c. Lot Width (min)— With rear vehicular access	60 ft	60 ft. n/a	50 ft. 16 ft.	50 ft. 16 ft.	50 ft. 16 ft.
d. Frontage at Front Setback	n/a	n/a	n/a	n/a	n/a
e. Pervious Surface (min)	20%	20%	20%	10%	10%
4. Building Setback (min)					
a. Principal Front[1]	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.
b. Street Side/Secondary Front[1]	20 ft.	20 ft.	5 ft.	5 ft.	5 ft.
c. Side (from adjacent lot)	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
d. Setback Between Bldgs.	15 ft. (10 ft.)	15 ft. (10 ft.)	6 ft.	6 ft.	6 ft.
e. Rear	20 ft.	20 ft.	6 ft.	6 ft.	6 ft.
5. Accessory Structure Setback					
a. Side	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
b. Rear	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
c. Other Standards	See Section 4.5	See Section 4.5	See Section 4.5	See Section 4.5	See Section 4.5
6. Building Height (in Stories)					
a. Principal Building (max)	3 stories	3 stories	3 stories	3 stories	3 stories
b. Accessory Structure (max)	2 stories	2 stories	2 stories	2 stories	2 stories
c. Max Height in Feet	45 ft.	60 ft.	60 ft.	60 ft.	60 ft.
7. Outdoor Storage					
a. Residential Uses	Permitted in all districts[2]	Permitted in all districts[2]	Permitted in all districts[2]	Permitted in all districts[2]	Permitted in all districts[2]
b. Nonresidential Uses	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted

[1] Where no right-of-way exists or if the right-of-way is only inclusive of the street pavement add 10 ft. See also 4.3.1.A.3.

[2] Customary storage as an accessory to residential use of the property.

2.4.2 Table of Dimensional Standards by Mixed-Use/Non-Residential District.

Standard	Neighborhood Center (NC)	Business District (BD)	Regional Center (RC)	Commercial Industrial (CI)
1. Applicable Districts	NM-NC, PS-NC, RC-NC	CBD, H-BD, SM-BD	DJ-RC, HC-RC, RA-RC	CI
2. Development Standards				
a. Density (max base)	None	None	None	None
b. Civic Space (min) per CH 7	Refer to Section 7.3. Applies to residential units only.	Exempt	Refer to Section 7.3. Applies to residential units only.	Exempt
c. Building Footprint (Max)	8,000 s.f. (may exceed with an SUP/CD)	None	None	None
3. Lot Standards				
a. Lot Area	None	None	None	None
b. Lot Width	None	None	None	None
c. Frontage at Front Setback	n/a	100%	n/a	n/a
d. Pervious Surface (min)	n/a	n/a	n/a	20%
4. Building Disposition				
a. Principal Front Setback	0 ft. (min.)—20 ft. (max.) (10 ft. min. from fronting thoroughfare)*	0 ft. (min.)—10 ft. (max.)	0 ft. (min.) (10 ft. min. from fronting thoroughfare)	5 ft.
b. Street Side/Secondary Front Setback	0 ft. (min.)—20 ft. (max.) (10 ft. min. from fronting thoroughfare)*	0 ft. (min.)—10 ft. (max.)	0 ft. (min.) (10 ft. min. from fronting thoroughfare)	5 ft.
c. Side Setback (from adjacent lot)	0 ft.	0 ft.	10 ft.	5 ft.
d. Setback Between Bldgs	0 ft.	0 ft.	6 ft.	n/a
e. Rear Setback	5 ft.	20 ft.	6 ft.	5 ft.
5. Accessory Structure Setback				
a. Side	0 ft.	5 ft.	5 ft.	5 ft.
b. Rear	0 ft.	5 ft.	5 ft.	5 ft.
c. Other Standards	See Section 4.5	See Section 4.5	See Section 4.5	See Section 4.5
6. Building Height (in Stories)				
a. Principal Building (max)	3 stories	3 stories/4—5 stories (CBD)	4—5 stories	3 stories
b. Accessory Structure (max)	2 stories	2 stories	2 stories	2 stories
7. Outdoor Storage				
a. Residential Uses	Permitted in all districts**	Permitted in all districts**	Permitted in all districts**	Permitted in all districts**
b. Nonresidential Uses	Subject to Type A screening	Subject to Type A screening	Subject to Type B screening	Subject to Type C screening

* *Exception:* Where parking is permitted in the front yard per section 9.3, the maximum setback shall not be applicable.

** Customary storage as an accessory to residential use of the property.

(Ord. No. 04-16, 6-14-2016; Ord. No. O-02-18, § 1, 3-13-2018; Ord. No. O-26-18, § 1, 11-27-2018; Ord. No. O-03-19, Pt. 2, 1-22-2019; Ord. No. O-16-22, §§ 1, 2, 5-10-2022; Ord. No. O-22-24, § 1, 6-11-2024)

2.5 Use Categories and Interpretation of Uses.

2.5.1 Use Categories.

All uses permitted in this Ordinance have been divided into nine general categories and are generally defined as follows:

A. **Residential:** Premises available for long-term human habitation by means of ownership and rental, but excluding short-term leasing or rental of less than a month's duration.

B. **Lodging:** Premises available for short-term human habitation, including daily and weekly rental.

C. **Office/Service:** Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component.

D. **Commercial:** Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.

E. **Entertainment/Recreation:** Premises for the gathering of people for purposes such as arts and culture, amusement, and recreation.

F. **Civic/Institutional:** Premises available for organizations dedicated to religion, education, government, social service, health care, and other similar functions.

G. **Manufacturing/Wholesale/Storage:** Premises available for the creation, assemblage, storage, and repair of items including their wholesale or retail sale.

H. **Agricultural:** Premises for growing crops, raising animals, harvesting timber, and harvesting fish and other animals from a farm, ranch or their natural habitat and all related functions.

I. **Infrastructure:** Uses and structures dedicated to transportation, communication, information, and utilities.

2.5.2 Interpretation of Use Matrices.

A. **Permitted/Prohibited Uses:** Uses not listed as permitted (P); permitted with additional standards (PS); or requiring a special use permit (SUP) are presumed to be prohibited from the applicable zoning district.

B. **Uses Not Listed:** In the event that a particular use is not listed in the Use Matrix, and such use is not listed as a prohibited use and is not otherwise prohibited by law, the Administrator shall determine whether a materially similar use exists in this Chapter. Should the Administrator determine that a materially similar use does exist, the regulations governing that use shall apply to the particular use not listed and the Administrator's decision shall be recorded in writing. Should the Administrator determine that a materially similar use does not exist, this Chapter may be amended to establish a specific listing for the use in question.

C. **Materially Similar Uses:** The Administrator may determine that a use is materially similar if:

1. The use is listed as within the same Structure or Function classification as the use specifically enumerated in the Use Matrix, as determined by the Land-Based Classification Standards ("LBCS") of the American Planning Association [Reference: http://www.planning.org/lbcs/index.html]. The use shall be considered materially similar if it falls within the same LBCS classification and meets the requirements of subsection ii below.

2. The proposed use shall not generate average daily trips exceeding other similar uses proposed in the zoning district by more than 10%, as determined by the Institute of Transportation Engineers, Trip Generation (most recent edition)(the "ITE Manual"), which document is hereby incorporated by this reference. If the trip generation is not listed in the ITE Manual, then the use shall be considered materially similar to the use that most closely approximates the proposed use. The Administrator may also refer to similar local traffic studies.

D. **Rules of Construction:** In order to assist in interpretation of the Use Matrix, the LBCS numbers, where applicable, are enumerated in Chapter 18, Definitions. In interpreting the Use Matrix, the following rules of construction shall apply:

1. If a use is listed for a specific classification, while a more general classification within the same industry classification is also listed for another use, the specific classification governs. A specific use is not permitted in all districts where uses assigned to the general classification are permitted simply because they share a similar LBCS code number. The numbers increase as the use classifications get more specific.

2. Some uses are listed separately, but fall within the same LBCS classification. The uses within one such classification are not permitted in other zoning districts simply because they fall within the same LBCS classification.

2.5.3 Table of Permitted Uses.

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

P Permitted **CL** Permitted on corner lots only **MU** Permitted in Mixed Use Overlay Districts **PS** Permitted subject to Additional Standards in Ch. 3 **SUP** Special Use Permit Required (See Ch. 3 and Ch. 15) **CD** Conditional District (See Ch. 3 and Ch. 15) **RR** Permitted in Railroad Overlay Districts **[-]** Not Permitted

	Rural Conservation	Residential—Low Density Districts (RL)				Residential—Medium Density Districts (RM)				Neighborhood Residential (NR)									Urban Residential (UR)			Neighborhood Center (NC)			Business District (BD)			Regional Center (RC)			Commercial Industrial (CI)
USE TYPES	**RCON**	**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**	**CL-NR**	**RC-NR[1]**	**SS-NR**	**WS-NR**	**EW-UR**	**H-UR[2]**	**HM-UR**	**NM-NC**	**PS-NC**	**RC-NC**	**CBD**	**H-BD**	**SM-BD**	**DJ-RC**	**HC-RC**	**RA-RC**	**CI**
RESIDENTIAL																															
Dwelling—Single-Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	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	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	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	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	P	-	P	P	P	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	PS	PS	PS	PS	PS	PS	P	P	P	P	P	P	P	P	P	-
Family Care Home (6 or fewer residents)	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-
Halfway Houses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	-
Home Occupation	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	P	P	P	P	P	P	-
Live-Work Units	-	MU & PS	-	-	-	-	MU & PS	-	MU & PS	-	MU & PS	MU or RR	MU & PS	-	-	MU & PS	-	MU & PS	MU or CL - PS	MU & PS	CL & PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-
Manufactured Home Parks	-	-	-	-	-	-	-	-	-	SUP	-	RR & SUP	-	-	-	-	-	-	-	-	-	-	-	-	RR & SUP	RR & SUP	-	-	-	-	RR & SUP
Manufactured Housing	PS	-	-	PS	PS	PS	MU & PS	-	PS	PS	-	RR & SUP	PS	-	-	PS	-	-	-	-	-	-	-	-	RR & SUP	RR & SUP	-	-	-	-	RR & SUP
Residential Care Facilities (More than 6 residents	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P	P	P	P	P	P	P	P	-
Temporary Emergency Housing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
LODGING																															
Bed and Breakfast Homes (Up to 4 Rooms)	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	P	P	P	P	P	P	-
Boarding House	-	-	-	PS	-	PS	-	-	PS	PS	PS	PS	-	-	-	-	-	PS	-	-	-	P	P	P	P	P	P	P	P	P	-
Inn (Up to 20/30 Rooms)	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P	P	P	P	P	P	P	P	-
Hotel/Motels (More than 30 Rooms)	-	-	-	-	-	-	-	-	-	-	-	RR	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	RR
OFFICE/SERVICE																															
Animal Services	-	MU	-	MU	-	-	MU	-	-	-	-	-	-	-	-	-	-	MU	-	-	-	P	P	P	P	P	P	P	P	P	P
ATM	-	MU	-	-	-	-	MU	-	MU	-	MU	MU	MU	-	-	MU	-	MU	-	-	-	P	P	P	P	P	P	P	P	P	-
Banks, Credit Unions, Financial Services	-	MU	-	-	-	-	MU	-	MU	-	MU	MU	MU	-	-	MU	-	MU	-	-	-	P	P	P	P	P	P	P	P	P	-
Business Support Services	-	MU	-	-	-	-	MU	-	MU	-	MU	MU	-	-	-	MU	-	MU	CL or MU	-	CL	P	P	P	P	P	P	P	P	P	P
Child/Adult Day Care Home (8 or less persons)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Child/Adult Day Care Center (More than 8 persons)	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	P	P	P	P	P	P	-
Civic/Social/Fraternal Organization	-	-	-	-	-	-	-	PS	-	PS	PS	PS	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P
Construction and Maintenance Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P
Drive Thru Service	-	MU & PS	-	-	-	-	MU & PS	-	-	-	MU & PS	-	-	-	-	-	-	MU & PS	-	-	-	PS	PS	PS	SUP	SUP	SUP	PS	PS	PS	P
Dry Cleaning and Laundry Services	-	-	-	-	-	-	-	-	-	-	MU	MU	MU	-	-	MU	-	MU	-	-	-	P	P	P	P	P	P	P	P	P	P
Funeral Homes	-	MU	-	-	-	-	MU	-	MU	-	MU	-	-	-	-	MU	-	MU	-	-	-	P	P	P	P	P	P	P	P	P	P
Government Services	P	-	-	P	-	-	MU	CL	MU	-	MU	MU	MU	-	-	MU	-	MU	-	MU	MU	P	P	P	P	P	P	P	P	P	P

Kennels	-	-	PS	-	-	-	-	PS	-	PS	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Medical Outpatient Care Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-
Personal Services	-	MU	-	MU	-	-	MU	-	MU	CL	MU	MU or RR	MU	-	-	MU	-	MU	MU	MU	MU	P	P	P	P	P	P	P	P	P	RR
Post Office	-	-	-	-	-	-	-	CL	MU	-	MU	-	MU	-	-	-	-	MU	-	-	-	P	P	P	P	P	P	P	P	P	-
Professional Services	-	MU	-	MU	-	-	MU	-	MU	CL	MU	MU or CL or RR	MU	-	-	MU	-	MU	CL or MU	MU	P	P	P	P	P	P	P	P	P	P	RR
Studio - Art, dance, martial arts, music	P	P	P	P	P	-	P	P	MU	P	MU	P	MU	-	-	P	-	MU	P	MU	P	P	P	P	P	P	P	P	P	P	-
COMMERCIAL																															
Adult Establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS
Alcoholic Beverage Sales Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-
Auto Parts Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	P	P	P	P
Bar/Tavern/Night Club	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	-
Cryptocurrency Mining Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Data Center Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Drive-Thru Commercial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	P	P	P	-
Event Space	-	-	-	-	-	-	-	-	-	-	-	RR & SUP	-	-	-	-	-	-	-	-	-	-	-	-	RR & SUP	RR & SUP	-	-	-	-	RR & SUP
Gas/Fueling Station	-	-	-	-	-	-	-	-	-	CL & PS	-	-	-	-	-	MU & PS	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
General Commercial - Less than 100,000 sf	-	-	-	-	-	-	-	-	-	-	-	MU	MU	-	-	MU	-	MU	-	MU	-	P	P	P	P	P	P	P	P	P	-
General Commercial - Greater than 100,000 sf	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Neighborhood Commercial (as defined in section 17.30 adopted 8/2018)	-	-	-	-	-	-	MU	-	MU	-	MU	RR	MU	-	-	MU	-	MU	MU	MU	-	-	-	-	RR	RR	-	-	-	-	RR
Neighborhood Restaurant (as defined in section 17.30 adopted 8/2018)	-	-	-	-	-	-	MU	-	MU	-	MU	RR	MU	-	-	MU	-	MU	MU	MU	-	-	-	-	RR	RR	-	-	-	-	RR
Outside Sales	-	-	-	-	-	-	-	-	-	-	-	-	MU	-	-	MU	-	MU	-	-	-	P	P	P	P	P	P	P	P	P	-
Outside Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	P
Pawnshops	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-
Restaurant	-	-	-	-	-	-	-	-	-	-	-	MU	MU	-	-	MU	-	MU	-	-	-	P	P	P	P	P	P	P	P	P	-
Vehicle & Heavy Equipment Sales/Rental	-	-	-	-	-	-	-	-	-	-	-	RR	-	-	-	-	-	-	-	-	-	PS	PS	-	RR	PS	PS	PS	PS	PS	PS
Vehicle Services -Minor Maintenance/Repair/Wash	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Vehicle Services - Major Repair/Body Work	-	-	-	-	-	-	-	-	-	-	-	RR	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS
Video gaming parlor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS & SUP	PS & SUP	PS & SUP	-
ENTERTAINMENT/ RECREATION																															
Amusements, Indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-
Amusements, Outdoor	-	-	-	-	-	-	-	-	-	-	-	RR	-	-	-	-	-	-	-	-	-	-	-	-	RR	RR	-	P	P	P	RR
Campground	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cultural or Community Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Golf Course/Country Club	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Racetrack	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-	-	-	-	-	-	-	-	-	P
Recreation Facilities, Indoor	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	P	P	P	P	P	P	-
Recreation Facilities, Outdoor	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	P	P	P	P	P	P	-
Recreational Vehicle Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Riding Stables	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-	-	PS	PS	PS	PS	-	-	PS	-	PS	-	-	-	-	-	-	PS	PS	-	-
Shooting Range, Outdoor	-	-	-	-	-	-	-	SUP	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Theaters, Drive-In	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P

Theater, Indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-
Theater, Outdoor	PS	PS	PS	-	PS	-	PS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-
CIVIC/INSTITUTIONAL																																
Cemetery	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-
College/University	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P
Correctional Institution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SUP	-	SUP	-	-	-	-
Hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-
Religious Institution	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Schools - Elementary and Secondary	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P	P	P	P	P	P	P	P	-
Schools - Vocational/Technical	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P
MANUFACTURING/ WHOLESALE/STORAGE																																
Freight Hauling/Truck Terminals	-	-	-	-	-	-	-	-	-	-	-	RR & SUP	-	-	-	-	-	-	-	-	-	-	-	-	-	RR & SUP	RR & SUP	-	SUP	SUP	SUP	P
Landfill	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P
Laundry, Dry cleaning Plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Manufacturing, Light	-	-	-	-	-	-	-	-	-	-	-	RR	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P
Manufacturing, Neighborhood	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P
Manufacturing, Heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P
Materials Recovery & Waste Transfer Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Metal Products Fabrication, Machine or Welding Shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P
Mini-Warehouses	-	-	-	-	-	-	-	-	-	-	-	RR & SUP	-	-	-	-	-	-	-	-	-	-	-	-	-	RR & SUP	RR & SUP	-	SUP	SUP	SUP	SUP
Recycling Collection Stations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Storage - Outdoor Storage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS
Storage -Warehouse, Indoor Storage	-	-	-	-	-	-	-	-	-	-	-	RR & SUP	-	-	-	-	-	-	-	-	-	-	-	-	-	RR & SUP	RR & SUP	-	P	P	P	P
Wholesaling and Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P
AGRICULTURAL																																
Animal Production	PS	PS	-	PS	PS	-	PS	PS	PS	PS	-	-	PS	PS	PS	PS	-	-	-	-	-	-	-	-	-	-	-	-	PS	-	-
Animal Production Support Services	P	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	P	-	-
Crop Production and Nurseries	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Crop Production Support Services	P	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	P	-	-
Feed Lots	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fish Hatcheries	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Forestry and Logging	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Forestry Support Services	P	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P
Produce Stands in Conjunction with Crop Production	P	-	P	P	P	-	P	-	P	P	-	RR	P	P	P	P	-	-	-	-	-	-	-	-	-	RR	RR	-	-	P	RR	-
Swine Farms	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
INFRASTRUCTURE																																
Wireless Communications Facility, Micro	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Wireless Communications Facility, Mini	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-	PS	PS	PS	PS	PS	PS
Wireless Communications Facility, Macro	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-	PS	PS	PS	PS	PS	PS
Monopole Wireless Communications Tower	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	-	SUP	SUP	SUP	SUP	SUP	SUP

Parking Lot/Structure - Principal use	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-
Public Transportation Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P
Radio and Television Broadcasting Facilities (Except Towers)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P
Utilities - Class 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities - Class 2	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities - Class 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SUP	SUP	SUP	P

[1] Raccoon Creek Neighborhood Residential Mixed Use Overlay-2 (RC-NR-MXO-2): in addition to permitted uses in the underlying RC-NR district, "Government Services" are also permitted. No other uses noted as MU are allowed for this overlay.

[2] Hazelwood Urban Residential (H-UR) has three mixed-use overlay (MXO) districts with permitted uses as follows:

H-UR-MXO: all uses of the underlying H-UR district AND uses noted as MU.

H-UR-MXO-2: all uses of the underlying H-UR district AND uses noted as MU, EXCEPT "General Commercial - Less than 100,000 square feet."

H-UR-MXO-3: all uses allowed in the H-UR district, and ONLY "Professional Services." No other uses noted as MU are allowed for this overlay.

(Ord. No. 04-16, 6-14-2016; Ord. No. O-22-17, § 2, 11-28-2017; Ord. No. O-07-18, 5-22-2018; Ord. No. O-14-18, § 1, 8-28-2018; Ord. No. O-19-18, § 2, 10-9-2018; Ord. No. O-21-18, 11-13-2018; Ord. No. O-28-18, 11-27-2018; Ord. No. O-20-20, § 2, 10-27-2020; Ord. No. O-33-22, § 1, 11-8-2022; Ord. No. O-40-22, 12-13-2022; Ord. No. O-07-23, 2-14-2023; Ord. No. O-27-23, 5-23-2023; Ord. No. O-36-23, § 1, 9-12-2023; Ord. No. O-38-23, § 1, 9-12-2023; Ord. No. O-43-23, § 1, 11-14-2023; Ord. No. O-56-24, 12-10-24, No O-38-26, No O-40-26, 9-10-26)

2.6 Overlay Districts.

2.6.1 Historic Overlay District.

A. **Purpose:** The Historic Overlay District (HOD) is a zoning overlay district established pursuant to NCGS § 160D-940 and created with the purpose of implementing additional protections and controls on properties and structures located within locally designated Historic Districts as well as to individual Historic Landmarks.

B. **Applicability:** All locally designated Historic Districts and Historic Landmarks shall be a part of the Historic Overlay District.

C. **Development Standards.**

1. Historic Overlay District—General Requirements.

a. Development within the historic districts shall meet all requirements of the applicable underlying land development district in addition to those set forth in this section and those set forth in the Appendix and other applicable sections of this chapter.

b. When the provisions of this section and the standards and regulations established for each individual HOD, impose higher standards than are required for that land development district, the provisions of this section and all the applicable standards and regulations shall govern.

c. In cases of authentic restoration or reconstruction, where approved by the Historic Preservation Commission, variances shall not be required from the development standards of the underlying land development district. The use of the property must, however, be one which is allowed by this chapter.

2. Certificate of Appropriateness.

a. **COA Required:** No exterior feature of any building or other structure in an HOD (including masonry walls, fences, light fixtures, utility structures, steps, pavement, signs, landscape and color or other appurtenant features), shall be erected, altered, restored, moved or demolished until after an application for a Certificate of Appropriateness has been submitted to and approved by the Historic Preservation Commission. A Certificate of Appropriateness is required to be issued by the Commission prior to the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving or demolishing structures. A Certificate of Appropriateness shall be required whether or not a building or other permit is required.

b. **Procedures:** Section 15.11.

c. **Exterior Features—Scope of Review:** Exterior features shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure. It shall also encompass the kind, texture and color of the building materials, the size and scale of the building and the type, color and style of all windows, doors, light fixtures and important landscape and natural features of the lot on which the building or other structure is located.

d. **Interior Features—Scope of Review:** The jurisdiction of the Historic Preservation Commission over interior spaces shall be limited to specific interior features of architectural, artistic or historical significance in publicly owned landmarks; and of privately owned landmarks for which consent for interior review has been given by the owners. Such consent of an owner for interior review shall bind future owners and/or successors in title, provided such consent has been filed with the Register of Deeds of Haywood County and indexed appropriately. In these cases, the landmark designation shall specify the interior features to be reviewed and the specific nature of the commission's jurisdiction over the interior.

e. **Normal Maintenance and Repair:** Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in a HOD that does not involve a substantial change in design, material, or outer appearance thereof.

f. **Unsafe or Dangerous Situations:** Nothing in this section shall be construed to prevent the construction, reconstruction, alteration, restoration or demolition of any such feature which an authorized government official certifies in writing to the Historic Preservation Commission is required by the public safety because of an unsafe or dangerous condition.

g. **State Properties:** All of the provisions of this chapter related to historic preservation shall apply to construction, alteration, moving and demolition by the State of North Carolina, its political subdivisions, agencies and instrumentalities, provided however that they shall not apply to the interiors of buildings or structures owned by the State of North Carolina.

3. Relocation, Demolition: Any application for a certificate of appropriateness authorizing the relocation, demolition, or destruction of a building or structure within a HOD may not be denied. However, the effective date of such a certificate of appropriateness may be delayed for a period of up to three hundred and sixty-five (365) days from the date of approval of the certificate of appropriateness. During such period the Historic Preservation Commission may negotiate with the property owner and any other parties in an effort to find a means of preserving the building, structure or site.

D. **Permitted Uses:** All uses permitted in the applicable land development district underlying a historic overlay district are permitted in the HOD.

2.6.2 Mixed-Use Overlay District.

A. **Purpose:** The Mixed-Use Overlay District (MX-O) is a zoning overlay district established to permit certain limited mixed-uses within residential neighborhoods.

B. **Applicability:** The frontage of locations or blocks shall be identified on the Land Development Map to permit certain non-residential uses as permitted in the Use Table in Section 2.5.3. Such locations are noted as either CL (permitted on any Corner Lot located at the intersection of two publicly-maintained streets) or MU (Permitted in Mixed-Use Overlays).

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.

D. • Permitted Uses allowed within the RR-O[2]:

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

(Ord. No. O-11-21, § 4, 6-22-2021; Ord. No. O-06-22, § 5, 3-22-2022; Ord. No. O-38-23, § 2, 9-12-2023)

[2]P - Permitted, PS - Permitted subject to additional standards in Chapter 3, SUP - Special Use Permit required (see Chapters 3 and 15).

2.7 Conditional Districts (CD).

Conditional Districts are districts with conditions voluntarily added by the applicant and approved in a legislative procedure by the Town Council in accordance with G.S. 160D. Conditional Districts provide for orderly and flexible development under the general policies of this Ordinance without the constraints of some of the prescribed standards guiding by-right development. Because Conditional District developments are constructed in a comprehensive manner, they establish their own building, street, block, and lot pattern which may be unique from other surrounding blocks or neighborhoods. This Conditional District may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure.

2.7.1 Standards for Conditional Districts.

Within a Conditional District (CD), petitioners may place additional requirements or standards onto themselves and their property or ask that certain uses identified in the specific zoning category or provisions in Chapters 2-12 be decreased. It shall be the Town Council's final decision to grant approval or denial of the CD zoning amendment in light of the revised development standards presented in accordance with the procedures of Section 15.15. If no specific request is made by the petitioner to the change in the development standards or if the petition is silent on the point, it shall be understood that the underlying zoning district guidelines and standards shall apply.

In addition to modification of specific district provisions (except use), the various provisions detailed in Chapters 2-12 may be varied if specifically requested by the petitioner as part of a Conditional District application:

CH	Title	Exception to modifications:
2	District Provisions	Uses permitted may not be added unless the use proposed is not currently defined or contemplated by the Code. Permitted uses may be removed from the petition.
3	Supplemental Use Standards	
4	General Provisions for All Districts	
5	Building and Development Design Standards	
6	Site and Development Infrastructure Improvement Requirements	
7	Civic Space	May substitute required open space for payment-in-lieu. Amount required may not be reduced.
8	Tree Protection, Landscaping and Screening	No further modifications permitted. See Alternate Methods of Compliance.
9	Parking	
10	Lighting	
11	Signs	Signage may exceed the permitted amount by no more than 50 percent.
12	Environmental Conservation Standards	No further modifications permitted. See Alternate Methods of Compliance.

(Ord. No. O-11-21, § 5, 6-22-2021; Ord. No. O-06-22, § 6, 3-22-2022; Ord. No. O-28-24, § 2, 6-11-2024)