Railroad Corridor Study Initiation

### **PLANNING BOARD**

### TOWN OF WAYNESVILLE, NC

AUGUST 16, 2021



#### **2035 Comprehensive Land Use Plan**

**Goal 1:** Continue to Promote Smart Growth

"Study/implement a railroad overlay district to encourage redevelopment along the railroad corridor, especially in areas with access to existing/future greenway."

**Goal 5:** Create Opportunities for Sustainable Economy

"Review the LDS to create opportunities within the Town of Waynesville's industrial areas and along the railroad corridor."



#### 2035 Comprehensive Land Use Plan

### **Opportunity**:

"Consider railroad corridor for development potential."

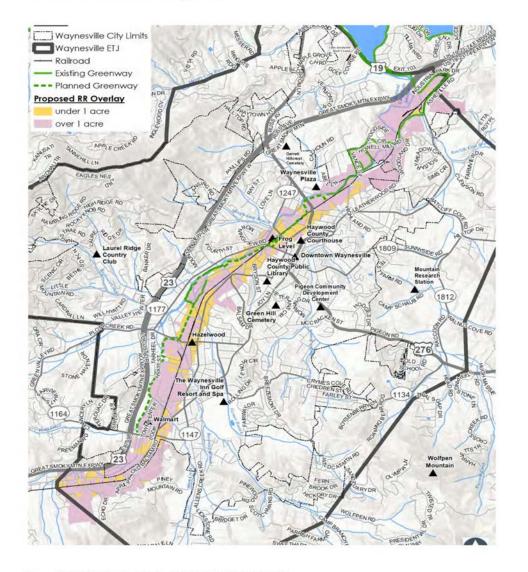
#### **Economic Development:**

"While the Town has seen a loss in the industrial sector from what it is used to be, industrial and commercial properties, particularly along the railroad corridor, are creating new opportunities..."





#### Potential Railroad Overlay Map



### Potential Railroad Overlay

- Blue Ridge Southern Railway
- Passes through 11 out of 30 Zoning Districts of Waynesville:
  - Central Business District (CBD)
  - Hazelwood Business District (H-BD)
  - Commercial Industrial (CI)
  - Raccoon Creek Neighborhood Residential (RC-NR)
  - Walnut Street Neighborhood Residential (WS-NR)
  - Main Street Neighborhood Residential (MS-NR)
  - Hyatt Creek Regional Center (HC-RC)
  - South Waynesville Residential Medium Density (SW-RM)
  - Howell Mill Residential Medium Density (HM-RM)
  - East Waynesville Urban Residential (EW-UR)
  - Hazelwood Urban Residential (H-UR)
- Properties over and under 1 acre Proximity to greenway

### **Preliminary Study**

• **Two areas:** Frog Level and Hazelwood (Central Business District, Hazelwood Business District, Commercial Industrial)

• 100 ft buffer; 48 properties

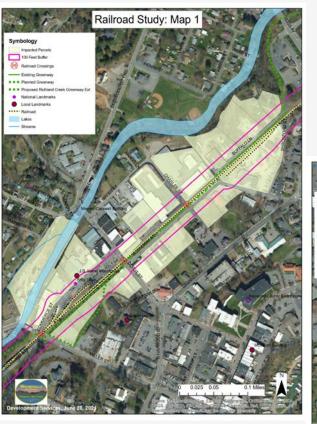
• **Primary uses:** commercial use, industrial, some single-family

Major owners: Haywood Builders Supply, Burgin Rentals, Waynesville VFW, Southern Concrete Materials, HVO, etc.

• **Deeds** studied: few mention railroad right of way (RR-ROW)

If mentioned, vague restrictions, such as "this property is subject to the right of way and all easement for the Southern Railroad Tracks."

Most plats do not show the RR-ROW either. Few that do, show a range between 40-100 feet.





#### Contacts

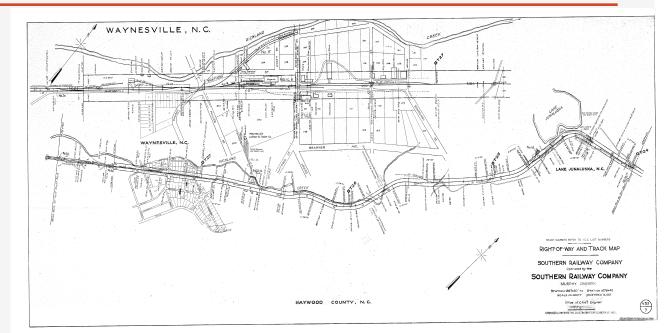
- Railroad Corridor Discussion Meeting on June 17, 2021
- Cooperation with the NCDOT Railroad Division *NCDOT GIS Analysts*
- Blue Ridge Southern Railroad Primary Contact: Brock Parham- Assistant Road Master
- Surveyor Mr. Kevin Ensley

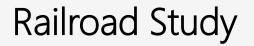


### Conclusions

- Southern Railroad claim a 100 feet ROW in Haywood
  County (very few exceptions).
- They use 1927 maps as an official reference.
- Do not recognize any discrepancies. Burden to prove a different ROW is on the owner.
- Strong perception that the owners possess the property in "our right of way."
- Real Estate Department
- Lease Agreements

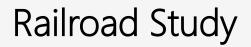
Counter argument by attorneys: "Can you claim what you don't maintain?"





#### **Our Objectives**

- Create a Work Group and Initiate a Railroad Corridor Study: 2-3 volunteers from the Planning Board
- Invite Stakeholders to the Discu3ssion Table: Southern Railroad, major property owners, attorneys, surveyors, etc.
- **Facilitate collaboration:** among RR, property owners, the Town.
- **Create a special Railroad District? Identify the Goals and Benefits of the RR District.** Promote a higher concentration of mixed-use development. Identify a variety of potential uses. Create opportunities for revitalization. Ease constraints imposed by the RR through collaboration.
- Size of the District: Certain areas or along all the RR corridor within the town? 100 ft or 500 ft wide?



#### **Examples from NC**

- **Chapel Hill:** "Railroad rights-of-way used for trackage and related appurtenances shall be exempt from town stormwater management utility service charges."
- **Fayetteville:** Light Industrial Zoning District- rear setback is 20 ft; none where property is abutting a railroad right- of-way.
- Wake County, NC: side and rear setbacks- 25 ft; none when abutting railroad. Abutting Railroad Rights-of-Way: a minimum side setback is not required when a railroad line is located on or along a lot line.

#### Nationwide

- **Woburn, MA:** *Railway Overlay District (ROD)*
- **City of Norfolk, VA:** Norfolk & Western Historic Overlay (HO N&W) District
- Clark County, WA: Railroad Overlay District (RR)



# QUESTIONS?

