

JACKSON COUNTY PLANNING OFFICE

401 Grindstaff Cove Road
Suite A-258
Sylva, N.C. 28779



Michael Poston
Planning Director
michaelposton@jacksonnc.org
Phone: (828) 631-2255

MEMO

To: Jackson County Board of Commissioners
From: Michael Poston, Planning Director
Date: May 13, 2016

RE: Cashiers Commercial Area Land Development Ordinance

The Cashiers Planning Council and the Planning Staff have worked on developing regulations for food carts/trucks and sandwich board signs in the planning area. Currently, there are no specific regulations allowing either use. These topics have been areas of discussion in the Cashiers Community and I believe that these proposed amendments reflect a balanced approach in allowing new uses with standards that are consistent with the community. The Cashiers Planning Council held a public hearing for the proposed text amendments on March 28, 2016 and recommended them to the Planning Board. The Planning Board held their public hearing on the amendments on May 12, 2016 and recommend adoption to the Board of Commissioners. In accordance with the Cashiers Commercial Area Land Development Ordinance and state statute, the Board of Commissioners will need to call for a public hearing on the proposed text amendments. I am requesting that the Board of Commissioners call a public hearing to consider the proposed food cart/truck and sandwich board sign amendments to the Cashiers Commercial Area Land Development Ordinance.

The proposed text amendments are attached for your review.

Cashiers A-Frame (Sandwich Board) Sign Regulations

Stationary Sandwich Boards and Stationary Vertical Sidewalk Signs shall be allowed in the Village Center and General Commercial districts. The signage shall not exceed a height of 60 inches or a width of 30 inches with no more than two surface areas. The structure (frame) shall be of a standard wooden design approved by the Jackson County Planning Department. Signs shall be self-supporting; signs that are supported by stakes, posts, buildings or other structure, will not be permitted. Signage shall be constructed of materials that do not rapidly deteriorate, easily deface, degrade, or become a hazard to the safety and general welfare of the public in any way. The face of the sign shall be black or chalkboard paint with the lettering/logo color of the merchant's choosing. Each business is allowed one sign per property immediately adjacent to their place of business. The sign shall not impede the flow of pedestrian traffic, impede sightlines of motor vehicles or be placed in the public right-of-way. Signs may only be displayed during business hours. Permits for the placement of signage shall be issued by the Jackson County Planning Department and a sign permit fee set by the Jackson County Board of Commissioners shall be applied.



TABLE OF PERMITTED USES		
	Zoning District Land Use	
	Village Center	General Commercial
Residential:		
Accessory apartments	P	P
Dwellings, multi-family (fewer than 2 units on a single parcel or on contiguous parcels owned by the same owner, and are developed over a period of two (2) years)	P	P
Dwellings, single family detached (fewer than 2 units on a single parcel or on contiguous parcels owned by the same owner, and are developed over a period of two (2) years)	P	P
Dwellings, single family attached (fewer than 2 units on a single parcel or on contiguous parcels owned by the same owner, and are developed over a period of two (2) years)	P	P
Dwellings, 2 or more units (attached or detached) on a single parcel or on contiguous parcels owned by the same owner, and are developed over a period of two (2) years)	C	C
Recreational:		
Arboretums	P	P
Camps, campgrounds	P	P
Golf courses	P	P
Greenways and pedestrian paths	P	P
Passive parks	P	P
Recreational uses, commercial indoor	P	P
Recreational uses, commercial outdoor	P	P
Recreational uses, governmental	P	P
Recreational uses, restricted to membership, non-profit	P	P
Institutional:		
Adult day care centers	P	P
Child day care centers	P	P
Churches	P	P
Civic, social service, and fraternal facilities	P	P
Colleges	P	P
Libraries	P	P
Medical centers	P	P
Schools	P	P
Public/semi-public:		
Amphitheaters	P	P
Community centers	P	P
Conference centers	P	P
Fire/police stations	P	P
Museums	P	P
Post offices	P	P
Public utilities and related facilities	P	P
Office/business:		
Automobile service stations (storage of abandoned and inoperable vehicles prohibited)	P	P
Bakeries	P	P
Barber shops and salons	P	P
Bed and Breakfast Inns	P	P
Bicycle shops	P	P
Bookstores	P	P
Candy, pastry, ice cream, and snack shops	P	P
Car washes	U	P
Clinics - medical, dental, psychiatric, optical	P	P
Clinics - veterinary	P	P
Convenience stores	P	P
Copying centers	P	P

TABLE OF PERMITTED USES		
	Zoning District Land Use	
	Village Center	General Commercial
Delicatessens	P	P
Distributive businesses	U	P
Financial institutions	P	P
Florists	P	P
Fruit and vegetable markets	P	P
Gift shops	P	P
Hardware/garden supply stores	P	P
Health and fitness facilities	P	P
Home occupations	P	P
Instructional services	P	P
Laundry and dry cleaning establishments	P	P
Lodging facilities	P	P
Motor vehicle repair	U	P
Offices	P	P
Pharmacies	P	P
Plant nurseries, sales and greenhouses	P	P
Printing and publishing	P	P
Restaurants	P	P
Retail gasoline sales	P	P
Retail sales	P	P
Self-storage facilities	U	U
Studios, galleries, and workshops for artists, craftspeople, designers, and photographers	P	P
Theaters	P	P
Video rental stores	P	P
Other:		
Accessory structures	P	P
Antenna	U	U
Building or multiple buildings or units with footprint > 2,500 square feet located on a single parcel of property or on contiguous parcels owned by the same owner and developed over a period of two (2) years.	C	P
Building or multiple buildings or units with footprint > 5,000 square feet located on a single parcel of property or on contiguous parcels owned by the same owner and developed over a period of two (2) years.	C	C
Drive through facilities	U	U
Food Trucks or carts	U	U
Manufacturing, assembly, or finishing operations	U	P
Outdoor storage	U	U
Parking lots	P	P
Telecommunication towers	N	U
Legend P = Permitted Use U= Use Permitted, Subject to Special Requirements C = Conditional Use N = Not Permitted		
See Ordinance for detailed requirements for Uses Permitted, Subject to Special Requirements and for Conditional Uses		

- *Prohibited uses.* Any use not specifically listed as a permitted use, a use by right subject to special requirements, or a conditional use in the General Commercial District is prohibited.

- d. *Uses by right, subject to special requirements.* The uses listed below are permitted provided the specific requirements identified for each use are met.
- (1) *Antenna.*
- (a) Must comply with all FCC and FAA rules and regulations.
 - (b) Shall not interfere with usual and customary radio and television reception.
 - (c) Structures on which amateur radio facilities are mounted shall not exceed 100 feet in height.
 - (d) Antennas for receiving microwave or satellite signals shall not exceed four feet in height or diameter and shall be mounted on support structures less than 12 feet in height.
- (2) *Drive through facilities.*
- (a) Shall be located at the side or rear of the principal structure.
 - (b) Maximum of two lanes providing drive through services permitted.
- (3) *Outdoor display.* Outdoor display is made a use subject to additional requirements, with the following requirements established for this use:
- (a) *Location of the outdoor display.* The outdoor display area should be located on the same property as the business selling the goods/items being displayed. Additional standards addressing location of outdoor display are:
 - No outdoor display of goods shall be located in any required setback
 - No outdoor display of goods shall be located in required parking spaces or access ways.
 - Outdoor display of goods may be located in front of the building provided that pedestrian entrances and exits are maintained free and clear of any obstructions.
 - Outdoor display of goods shall be located within ten feet of the structure in the village center district and within 20 feet of the structure in the general commercial district, unless screened from adjacent properties and public streets/roads.
 - (b) The outdoor display of goods shall not obstruct pedestrian ways, sidewalks, access points, traffic circulation, etc or interfere with access, circulation, or landscaping.
 - (c) The area occupied by the outdoor display of goods shall not exceed an area equal to 20 percent of the gross floor area of the principal structure, or portion thereof, occupied by the business displaying the goods.
 - (d) The maximum height of displayed items shall be six feet, unless otherwise approved by the Planning Director. The maximum height includes both individual items and stacked items.
 - (e) Clothing shall be displayed only under the canopy of the principal building (on the porch, in an arcade, etc).
- (4) *Outdoor storage.*
- (a) Storage of items shall be ancillary to the principal use.
 - (b) Only items sold or serviced by the business may be stored on the site.
 - (c) Areas containing items stored for more than four consecutive days must be screened from adjacent properties, public rights-of-way, and roadways with an "A" buffer as described in [Section 9-10](#).
- (5) *Self-service storage facilities.*
- (a) Shall be screened from adjacent properties, public rights-of-way, and roadways with a "B" buffer as described in [Section 9-10](#).
 - (b) Unenclosed storage of vehicles, campers, etc. shall be located at the rear of the property.
 - (c) All vehicles stored on the property shall be licensed and operable.

(6) *Telecommunication towers.*

- (a) Towers shall not exceed 100 feet in height.
- (b) Tower shall be a monopole.
- (c) Tower and equipment shall be screened from adjacent properties, roads, and rights-of-way with a "B" buffer as described in [section 9-10](#).
- (d) Tower shall be setback a minimum of 50 feet from any residential property.
- (e) Towers shall comply with the standards in the Jackson County Telecommunications Facilities Ordinance.

(7) *Food Trucks and Carts – Village Center District (VC)*

- (a) **Food trucks/carts may only be allowed within the Village Center zoning district during permitted temporary events (temporary events require temporary use permit).**

(8) *Food Trucks and Carts – General Commercial District (GC)*

- (a) **Food trucks/carts shall only be permitted to operate from dawn to dusk. Food trucks/carts shall not operate after dark and shall not be on the permitted property when not in operation.**
- (b) **Food trucks/carts shall not have permanent accessory structures associated with their food vending business (bathrooms, picnic tables, storage, etc.)**
- (c) **Food trucks/carts shall not have signage displayed that is not permanently attached to the vehicle (truck/cart). Temporary signage attached to the food truck/cart will not be permitted.**
- (d) **Food trucks/carts may have accessory lighting that is specific to the safe travel of their patrons (vehicles, pathways). All accessory lighting will be operated by the food truck/cart and not a permanent service.**
- (e) **Food trucks/carts must have a minimum property area (lot size) of 0.40 acres to operate their business and a minimum of 4 parking stalls (for the first food truck/cart).**
 - **Each additional food truck/cart on the same property will be required to have an additional area of 0.25 acres and 2 additional parking stalls. There shall not be more than 4 food trucks/carts permitted on one lot at any time.**
- (f) **Food trucks/carts must be entirely self-contained. Temporary or permanent electrical services will not be permitted unless required by the *North Carolina State Building Code*.**