

# JACKSON COUNTY PLANNING OFFICE

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## MEMO

To: Jackson County Board of Commissioners  
Cc: Don Adams, County Manager  
From: Michael Poston, Planning Director  
Date: September 9, 2022

RE: Request to Schedule a Public Hearing –Proposed UDO Amendments to Section 6.4- Industrial Development Standards, Table 9.5.4- US 441 Permitted Use Table, and Article XI- Definitions

The Planning Department has worked with Planning Board and the US 441 Planning Council on proposed amendments to the Unified Development Ordinance. The proposed amendments includes Section 6.4- Industrial Development regulations to address small scale animal processing facilities, crypto-currency facilities, and renewable energy facilities. The amendments also include proposed new definitions for these new uses in the Article XI. The proposed text amendment to the U S 441 Planning Corridor table of uses (table 9.5.4) was a request made by Greg Wasik to allow micro-breweries/breweries in the Gateway zoning district. Staff has also recommended allowing the use in the industrial zoning district.

The 441 Planning Council held a public hearing regarding the proposed amendment to allow for breweries/microbreweries and recommended approval of the proposed amendment unanimously. The Planning Board also reviewed the proposed changes to the table of uses and unanimously recommended approval. The Planning Board also held a public hearing for the proposed changes to the Industrial Development Standards and the proposed definitions and unanimously recommended approval. Both the 441 Planning Council and the Planning Board adopted Statements of Consistency with our land use plans that state that the proposed amendments are consistent with our adopted plans.

Staff is requesting that the Board of Commissioners call for a public hearing on October 4, 2022 at 5:50 to allow the public to comment on the proposed amendments.

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## **Sec. 6.4 Industrial development.**

### **Sec. 6.4.1 Purpose and Intent.**

- (a) For the purposes of promoting health, safety, or the general welfare of its citizens and the peace and dignity of the County, the Jackson County Board of Commissioners shall establish certain criteria to accommodate activities engaged in the mechanical, physical, or chemical transformation of materials, substances, components into new products, or for repair of products. These noxious industries that, by their very nature produce objectionable levels of noise, odors, vibrations, fumes, light, or smoke, may or may not have hazardous effects. These standards shall allow for the placement and growth of noxious industrial activities, while maintaining the health, safety, and general welfare standards of established residential and commercial areas in Jackson County.

### **Sec. 6.4.2 Jurisdiction.**

- (a) This section shall apply to all areas of unincorporated Jackson County which are not included in the extraterritorial jurisdictions of any municipalities. All municipalities and their respective corporate limits shall be exempted from this section, unless they choose to adopt this Section or some form thereof.

### **Sec. 6.4.3 General Provisions.**

- (a) No use, expansion of existing use, or sale of land or buildings except in conformity with this section.
- (b) No person may use, expand, occupy, or sell any land or buildings, or authorize or permit the use, expansion, occupancy or sale of land or buildings under his control, except in accordance with all of the applicable provisions of this Ordinance.
- (c) For purposes of this section, the use or occupancy of a building or land relates to anything and everything that is done to, on, or in that building or land.

### **Sec. 6.4.4 Performance Standards by Industrial Use.**

- (a) *Asphalt industries (including on-site sale of products).*
  - (i) The location of the closest point of the property line of a lot on which an asphalt plant, both portable and permanent, is located shall not be less than 1,320 linear feet from the closest point of a property line of a lot on which a commercial use, school, child care home, child care institution, day care center, church, hospital, nursing care home, assisted living facility, or nursing care institution is located; any property line of publicly owned property excluding road rights-of-way; or from the closest exterior wall of a residential structure.
  - (ii) Permanent roads used continuously for vehicular traffic (once per any 72-hour period of time excluding Saturdays, Sundays, or holidays) in excess of six months within the property site shall be surfaced with a dust-free material (i.e., soil cement, Portland cement, bituminous concrete).
  - (iii) Material piles and other accumulations of byproducts shall not exceed 35 feet above the original contour and shall be graded so the slope shall not exceed a 45-degree angle.
  - (iv) A continuous vegetative buffer designed to grow at least six feet in height will be maintained continuously along any property line which is adjacent to a public right-of-way or adjacent to property on which is located a commercial use, school, child care home, child care institution, day care center, church, hospital, nursing care home, nursing care institution, or residential use.
  - (v) The operation of this type of industry shall not violate the Jackson County Noise Ordinance.
  - (vi) Asphalt plants shall provide bag houses for managing fumes created from an asphalt batch facility and emissions control equipment that will regulate blue smoke particulate matter emissions during the

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process of filling silos and loading trucks to a minimum of Reasonably Available Controlled Technology (RACT).

(b) *Junkyards (including on-site sale of products).*

- (i) The location of the closest point of the property line of a lot on which a junkyard is located shall not be less than 1,320 linear feet from the closest point of a property line of a lot on which a commercial use, school, child care home, child care institution, day care center, church, hospital, nursing care home, assisted living facility, or nursing care institution is located; any property line of publicly owned property excluding road rights-of-way; or from the closest exterior wall of a residential structure. All junkyards shall be located in compliance with G.S. 136-144.
- (ii) An opaque security fence constructed of either wood, masonry, metal, aluminum, or synthetic material shall be installed around the entire perimeter lot line of the lot on which the proposed junkyard is located. The fence shall be a minimum of ten feet in height at the time of installation. The fence shall be set back ten feet from any property line that is adjacent to a public road right-of-way. No junk or material may be stored within the ten-foot setback. Any junk stored in the junkyard cannot be stored to a height of greater than ten feet. If at any point on the property a portion of the junkyard is at an elevation higher than the required ten-foot opaque security fence, an interior fence or vegetative buffer will be installed so that the junk stored on the elevated portion of the junkyard is not visible from any public right-of-way which is at the same or lower elevation as the elevation of the top of the opaque security fence at its closest point to a public right-of-way.
- (iii) All fluids shall be removed from junk or inoperable vehicles prior to placement in a junkyard. All fluids shall be disposed of in compliance with applicable federal, state, and local regulations.
- (iv) A continuous vegetative buffer designed to grow at least six feet in height will be maintained continuously along any property line which is adjacent to a public right-of-way or adjacent to property on which is located a commercial use, school, child care home, child care institution, day care center, church, hospital, nursing care home, nursing care institution, or residential use.
- (v) A 30-foot planted vegetative buffer shall be installed along any junkyard property line which is adjacent to a perennial stream.
- (vi) The operation of this type of industry shall not violate the Jackson County Noise Ordinance.

(c) *Heavy industry.*

- (i) The location of the closest point of the property line of a lot on which a heavy industry is located shall not be less than 1,320 linear feet from the closest point of a property line of a lot on which a commercial use, school, child care home, child care institution, day care center, church, hospital, nursing care home, or nursing care institution is located; any property line of publicly owned property excluding road rights-of-way; or from the closest exterior wall of a residential structure.
- (ii) A continuous vegetative buffer designed to grow at least six feet in height will be maintained continuously along any property line which is adjacent to a public right-of-way or adjacent to property on which is located a commercial use, school, child care home, child care institution, day care center, church, hospital, nursing care home, nursing care institution, or residential use.
- (iii) The operation of this type of industry shall not violate the Jackson County Noise Ordinance.

(d) *Mining industries (including on-site sale of products and hydraulic fracking):*

- (i) The location of the closest point of property line of the lot on which a mine or quarry is located shall not be less than 1,320 linear feet from the closest point of a property line of a lot on which a commercial use, school, child care home, child care institution, day care center, church, hospital, nursing care home, assisted living facility, or nursing care institution is located; any property line of

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publicly-owned property excluding road rights-of-way; or from the closest exterior wall of a residential structure.

- (ii) Permanent roads used continuously for vehicular traffic (once per any 72-hour period of time excluding Saturdays, Sundays, or holidays) in excess of six months within the property site shall be surfaced with a dust free material (i.e., soil cement, Portland cement, bituminous concrete).
- (iii) Material piles and other accumulations of byproducts shall not exceed 35 feet above the original contour and shall be graded so the slope shall not exceed a 45-degree angle.
- (iv) The operation of this type industry shall not violate the Jackson County Noise Ordinance.
- (v) A continuous vegetative buffer designed to grow at least six feet in height will be maintained continuously along any property line which is adjacent to a public right-of-way or adjacent to property on which is located a commercial use, school, child care home, child care institution, day care center, church, hospital, nursing care home, nursing care institution, or residential use.

(e) Animal Processing Facilities- Small Scale

- i. Structure(s) shall not exceed a total of 10,000 square feet in size. Square footage for space designed for retail sales is exempt from the maximum size calculation.
- ii. All processing activities, including storage, must be conducted within a fully enclosed structure. The processing of animals outside of a fully enclosed structure is prohibited.
- iii. All animal waste and byproduct shall be disposed of in a manner so that no odors are noticeable beyond the boundary of the property. A waste management plan must accompany the application detailing the methods for waste and animal byproduct treatment and/or removal from the site. The plan must be continuously followed throughout the use on the property
- iv. All structures and components of the business operation shall be setback a minimum of 100 feet from all property lines.
- v. A continuous 20- foot wide, at a minimum, evergreen vegetative buffer designed to grow at least six feet in height shall be maintained continuously along all property lines. A six-foot high opaque fence with a ten-foot buffer can also be used to meet this requirement.
- vi. Small Scale Animal Processing facilities shall be setback a minimum of 30 feet from the top of bank of any water body (river, stream, creek, lake, etc.).
- vii. Driveway connections must be permitted by NCDOT. A copy of the approved permit shall accompany the application.
- viii. The operation of this type of industry shall at all times be in compliance with state and federal rules and regulations, pertaining to the processing of animals and shall comply with all local ordinances and state and federal laws now in force, or which may hereafter be in force, including but not limited to the Jackson County Noise Ordinance.

(g) Cryptocurrency Mining facilities-

- (i) The use of cargo containers, railroad cars, semi-truck trailers, and other similar storage containers for any component of the operation is prohibited.
- (ii) Structures must be setback 50 feet from all property lines.

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- (iii) Verification must be provided that all electronic waste generated at the cryptocurrency mining operation will be handled by a North Carolina Department of Environmental Quality-licensed electronic waste recycling firm, pursuant to N.C.G.S.130 A-309.142.
- (iv) These facilities shall be required to develop or purchase sufficient new renewable energy to offset 100 percent of the electricity consumed by the cryptocurrency mining operation. To meet this condition, the cryptocurrency mining facility must be able to establish that their actions will introduce new renewable energy onto the electrical grid beyond what would have been developed otherwise. Any renewable energy facilities constructed or established to meet this requirements must meet the standards set forth in Section 6.4.4(h) of this Ordinance.
- (v) A continuous 20- foot wide, at a minimum, evergreen vegetative buffer designed to grow at least six feet in height will be maintained continuously along all property lines.
- (vi) A Noise Mitigation Plan will be required that demonstrates the methods for reducing or containing noise generated by the use and must be strictly followed while the property is in the use of this industry.
- (vii) The property boundary for all Cryptocurrency Facilities shall be fenced, minimum six foot height, located along the property line
- (viii) A sign, that is easy to see and locate, must be placed at the entrance to the property and that clearly states the name of the operator and a local phone number for the operator in case of emergency.
- (ix) The operation of this type of industry shall at all times be in compliance with state and federal rules and regulations, pertaining to this type of industry and shall comply with all local ordinances and state and federal laws now in force, or which may hereafter be in force, including but not limited to the Jackson County Noise Ordinance.
- (h) *Renewable Energy Facilities*
- (i) Roof mounted and ground mounted solar energy systems serving a single residential or commercial use are exempt from this section.
- (ii) Roof mounted or ground mounted wind energy systems, not exceeding 40 ft. in height, serving a single residential or commercial use are exempt from this section.
- (iii) Wind energy systems shall not exceed 100 feet in height.
- (iv) Renewable energy facilities shall not be sited on a property with an average slope greater than 35%.
- (v) Renewable energy facilities shall not be sited on any protected ridge identified in this Ordinance in Section 5.7- Mountain Ridge Protection regulations or Section 5.8- Mountain and Hillside Development.
- (vi) Solar energy facilities shall be setback a minimum of 50 feet from any property line and a minimum of 30 feet from the top of bank of any water body (river, stream, creek, lake, etc.).
- (vii) Wind Energy facilities shall be setback no less than the height of the structure plus 10% from all property lines.
- (viii) A continuous 20- foot wide, at a minimum, evergreen vegetative buffer designed to grow at least six feet in height will be maintained continuously along all property lines.
- (ix) The property boundary of Renewable Energy Facilities shall be fenced, minimum six foot in height located along the property line..
- (x) All utility lines must be located underground.
- (xi) A warning sign concerning voltage, that is easy to see and locate, must be placed at the entrance to the property and clearly state the name of the operator and a local phone number for the operator in case of emergency.

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(xii) The operation of this type of industry shall at all times be in compliance with state and federal rules and regulations, pertaining to this type of industry and shall comply with all local ordinances and state and federal laws now in force, or which may hereafter be in force, including but not limited to the Jackson County Noise Ordinance.

**Sec. 6.4.5 Transportation Impact Analysis (TIA).**

(a) *Transportation infrastructure.*

- (i) All uses permitted by this Ordinance shall be located on a site with direct access to a road designated, at a minimum, as a major thoroughfare in the Jackson County Comprehensive Transportation Plan.
- (ii) Any use that is not located on a site with direct access to a minimum of a major thoroughfare shall complete a preliminary traffic assessment prepared by a traffic engineer to determine if the roadway is designed to accommodate the proposed use.
  - 1) The preliminary assessment shall address potential congestion and road functionality to the nearest primary route. If the preliminary assessment determines that the current roadway design is sufficient for the proposed use, the Jackson County Planning Department staff may approve the permit.
  - 2) If the preliminary assessment cannot confirm the existing roadway design is sufficient for the proposed use, then the applicant may submit a Transportation Impact Analysis (TIA) prepared by a traffic engineer. The TIA should include the following:
    - a) Intersection congestion to the nearest primary route.
    - b) Functionality of roadway to the nearest primary route.
    - c) Mitigation of impacts for proposed use.
- (iii) Applicants that propose to use a TIA must make application for a (Special Use Permit from the Jackson County Board of Adjustment.)
  - 1) The Board of Adjustment must find the following in order to approve the use:
    - a) That the TIA provided shows that there are no adverse impacts associated with the proposed use or that any adverse impacts can be mitigated.
    - b) That the proposed use is consistent with Jackson County's Land Use Plan.
    - c) That the proposed use or development of the land will not materially endanger the public health or safety.
    - d) That the proposed use or development of the land is reasonably compatible with significant natural and topographic features on the site and within the immediate vicinity given the design and any mitigation measures proposed by the applicant.
  - 2) The Board of Adjustment will hold a quasi-judicial hearing for any application for a Special Use Permit. The Director will advertise the hearing in the local newspaper, send letters by first class mail to adjacent property owners, and post the proposed site with a sign pursuant to North Carolina General Statutes.
  - 3) Applications for Special Use Permits will be approved or denied by a majority vote of the Board of Adjustment per Section 3.7.15.

(b) *Exceptions.*

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- (i) This section shall not apply to automotive storage facilities, service stations, repair shops or garages unless the operation thereof would fall within the definition of junkyards or automobile graveyards as defined in Article XI: Definitions.
  - (ii) Junkyards or automobile graveyards registered with the Jackson County Planning Department, may continue to be operated, provided said uses are screened from view by dense natural vegetation or other natural topographic barriers or by an opaque fence or wire fence with vegetation as defined above in Section 6.4.4(b)(ii). Said screens shall prevent persons standing on public roads, in residential areas, or on property owned by schools, churches or rural volunteer fire departments from viewing the junkyard or automobile graveyard. In addition, the land area of the screened junkyard or automobile graveyard shall not be enlarged beyond that in use at the effective date of this ordinance. If a junkyard or automobile graveyard is sold, discontinued, closed or in any way fails to be in operation for a period of six consecutive months, the use shall not be reestablished.

## Section 11.2 Definitions

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### Cryptocurrency Mining

The operation of specialized computer equipment for the primary purpose of mining one or more blockchain based cryptocurrencies such as Bitcoin. This activity typically involves the solving of algorithms as part of the development and maintenance of a blockchain which is a type of distributed ledger maintained on a peer-to-peer network. Typical physical characteristics of cryptocurrency mining include specialized computer hardware for mining operations as well as equipment to cool the hardware and operating space. For the purpose of the associated regulations does not include the exchange of cryptocurrency or any other type of virtual currency nor does it encompass the use, creation, or maintenance of all types of peer-to-peer distributed ledger.

### Renewable Energy

Any facility or installation such as a windmill or solar collecting or concentrating array, which is designed and intended to produce clean energy from natural forces such as wind, water, sunlight, or geothermal heat, or from biomass, for onsite or offsite use.

### Small Scale Animal Processing Facility

Structure(s) that do not exceed a total of 10,000 square feet in size where livestock is slaughtered and prepared for distribution to butcher shops or retail sales establishments. A small scale animal processing facility is designed to accommodate the confinement and slaughtering of live animals and may include packing, treating, storage, or sale of the product on the premises. This definition specifically excludes slaughtering and processing activities performed for personal use only.



Townhome/Condominium Community	65%	N/A	N/A	16 d.u./acre	.35
Gateway	75%	*	Parallel to street frontage	N/A	.65
Village Center	80%	**	Parallel to internal street	4 d.u./acre- single family 12 d.u./ acre multi family	2.0
Industrial	50%	N/A	N/A	N/A	.25
Institutional	65%	*	N/A	N/A	.5
* Maximum two rows of parking in front of the building, plus drive aisle					
** No parking permitted between internal street and building unless the parking is designed as one row of parking (angle or parallel) located between the internal street and the pedestrian walkway.					

**Table 9.5.3—Maximum Height and Open Space**

Zoning District	Max. Height Primary Building*	Max. Height Accessory Building*	Minimum Open Space
Working Farm	35 ft.	35 ft.	N/A
Recreation	35 ft.	25 ft.	N/A
Rural Living	35 ft.	35 ft.	10%**
Golf Course Community	35 ft.	25 ft.	25%**
Planned Residential	35 ft.	25 ft.	25%
Townhome/Condominium Community	45 ft.	25 ft.	30%
Gateway	35 ft.	25 ft.	10%
Village Center	45 ft.	35 ft.	15%
Industrial	55 ft.	35 ft.	15%
Institutional	35 ft.	25 ft.	20%
* Exceptions for architectural features provided in additional sections.			
** Excludes Single Family residential homes.			

**Table 9.5.4—Table of Permitted Uses**

Zoning District Key:

- WF= Working Farm
- RC= Recreation
- RL= Rural Living
- GC= Golf Course Community

PR= Planned Residential  
 TC= Townhome/Condominium Community  
 GW= Gateway  
 VC= Village Center  
 IN= Industrial  
 IS= Institutional

P= Permitted, U= Use Permitted, Subject to Additional Standards, S= Special Use, N= Not Permitted

Land Use Type	WF	RC	RL	GC	PR	TC	GW	VC	IN	IS
Single Family Dwelling, Detached	P	N	P	P	P	P	P	P	N	N
Single Family Dwelling, Attached	N	N	P	P	P	P	N	P	N	N
Multi-Family Dwellings	N	N	N	P	S	P	N	P	N	N
Active park/recreation fields	N	P	N	N	P	P	N	N	N	N
Adult day-care homes	P	P	P	P	P	P	P	P	P	P
Agricultural activities	P	P	P	P	P	P	P	P	P	P
Agricultural activities, non-commercial	P	P	P	P	P	P	P	P	P	P
Amphitheater	N	P	N	N	N	N	N	N	N	N
Antique shop	N	N	N	N	N	N	P	N	N	N
Arboretum	N	P	N	N	N	N	N	N	N	N
Assisted living facility	N	N	S	N	N	N	S	N	N	N
Automobile service station	N	N	N	N	N	N	P	S	N	N
Bakery	N	N	N	N	N	N	P	P	N	N
Barbershop or salon	N	N	N	P	N	N	P	P	N	N
Bed and breakfast inn	N	N	P	N	P	S	P	P	N	N
Bicycle repair shop	N	N	N	N	N	N	P	P	N	N
Bookstore	N	N	N	N	N	N	P	P	N	N
<a href="#">Brewery/Microbrewery</a>	<a href="#">N</a>	<a href="#">N</a>	<a href="#">N</a>	<a href="#">N</a>	<a href="#">N</a>	<a href="#">N</a>	<a href="#">P</a>	<a href="#">N</a>	<a href="#">P</a>	<a href="#">N</a>
Camps/campgrounds	N	P	P	N	P	N	N	N	N	N
Candy, pastry, ice cream, or snack shop	N	N	N	N	N	N	N	P	N	N
Car wash	N	N	N	N	N	N	N	S	N	N
Cemetery	N	N	S	N	N	N	N	N	N	P
Child day-care homes	P	P	P	P	P	P	P	P	P	P
Child day care facilities	N	N	N	N	N	N	N	N	N	P
Civic, social services, or fraternal facilities	N	N	N	N	N	N	N	N	N	P
Clothing shop	N	N	N	N	N	N	P	N	N	N

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College or university	N	N	N	N	N	N	N	N	N	P
Community centers	N	P	P	P	P	P	N	N	N	P
Conference center	N	N	N	N	N	N	N	N	N	P
Convenience store	N	N	N	S*	N	S*	P	N	N	N
Copy Center	N	N	N	N	N	N	P	P	N	N
Delicatessen	N	N	N	N	N	N	P	P	N	N
Golf course	N	P	N	P	N	N	N	N	N	N
Government operations	N	N	N	N	N	N	N	N	P	P
Greenway or pedestrian path	P	P	P	P	P	P	P	P	P	P
Family care home	P	P	P	P	P	P	P	P	P	P
Financial institution	N	N	N	N	N	N	P	P	N	N
Florist	N	N	N	N	N	N	P	P	N	N
Fruit and vegetable market	S	N	N	N	N	N	P	P	N	N
Furniture sales	N	N	N	N	N	N	P	N	N	N
General office	N	N	N	N	N	N	P	P	N	N
Gift shop	N	N	N	N	N	N	P	P	N	N
Grocery store	N	N	N	S	N	S	N	N	N	N
Group homes	N	N	S	N	N	N	N	N	N	N
Hardware/garden store	N	N	N	N	N	N	P	P	N	N
Health and fitness facility	N	N	N	N	N	N	P	P	N	N
Health spa	N	N	N	P	N	N	N	N	N	N
Hotel/motel	N	N	P	P	N	N	P	P	N	N
Indoor equipment, party, or event rental center	N	N	N	N	N	N	N	N	P	N
Industrial park	N	N	N	N	N	N	N	N	P	N
Instructional services	N	N	N	N	N	N	P	P	N	N
Laboratories- medical, science, research	N	N	N	N	N	N	N	N	P	N
Laundry and dry cleaning	N	N	N	N	N	N	P	P	N	N
Library	N	N	N	N	N	N	S	N	N	P
Manufacturing, assembly, or finishing operations	N	N	N	N	N	N	N	N	P	N

Medical clinic	N	N	N	N	N	N	P	P	N	N
Motor vehicle repair	N	N	N	N	N	N	P	S	N	N
Multitenant shopping Center	N	N	N	N	N	N	S	N	N	N
Museum	N	N	N	N	N	N	N	N	N	P
Neighborhood retail establishments	N	N	N	N	S	N	N	P	N	N
Outdoor storage	N	N	N	N	N	N	N	N	S	N
Paint shop	N	N	N	N	N	N	P	N	N	N
Passive parks	N	P	N	N	P	P	N	N	N	P
Pharmacy	N	N	N	N	N	N	P	P	N	N
Places of worship	N	S	P	P	N	P	P	P	N	P
Plant nurseries, sales and greenhouses	N	N	N	N	N		P	P	N	N
Police, fire, or rescue station	N	N	P	P	P	P	P	P	P	P
Post office	N	N	P	P	P	P	P	P	N	P
Pre-school	N	S	S	S	S	P	N	N	N	P
Primary/ secondary school	N	S	S	S	S	P	N	N	N	P
Printing and publishing	N	N	N	N	N	N	P	P	N	N
Public utilities and related services	S	N	N	N	N	N	N	N	S	S
Recreation uses, commercial indoor	N	P	N	N	N	N	N	N	N	N
Recreation uses, commercial outdoor	N	P	N	N	N	N	N	N	N	N
Recreation uses, government	N	P	N	N	N	N	N	N	N	N
Recreation uses, non-profit	N	P	N	N	N	N	N	N	N	N
Recreation uses, restricted to membership	N	P	N	N	N	N	N	N	N	N
Restaurant	N	N	N	P	N	N	P	P	N	N
Retail sales	N	N	N	N	N	N	S	P	N	N
Retail gasoline sales	N	N	N	N	N	N	P	S	N	N
Riding academies and commercial stables	N	N	S	N	N	N	N	N	N	N

Self-storage/ mini-storage	N	N	N	N	N	N	S	N	N	N
Sporting goods sales	N	N	N	P	N	N	N	N	N	N
Telecommunications towers	N	N	S	N	N	N	N	N	N	P
Theaters	N	N	N	N	N	N	P	P	N	N
Veterinary	N	N	N	N	N	N	P	S	N	N
Video rental	N	N	N	N	N	N	P	P	N	N
Warehouse storage	N	N	N	N	N	N	N	N	P	N

(c)(1) *Special Use Permits.* In addition to the special uses identified in the Permitted Use table the following types of development will require a special use permit in the identified districts:

- (i) Rural Living.
  - (1) All non-residential or mixed uses that exceed 15,000 square feet in gross floor area.
- (ii) Golf Course Community.
  - (1) Convenience store greater than 10,000 square feet.
  - (2) Hotels/Motels with a primary structure height greater than 35 ft. meeting the following standards:
    - i. Dumpster location shall be screened and comply with Section 9.5.6 of this article.
    - ii. All outdoor activity shall conclude by 10:00 p.m. Sunday-Thursday and by 11:30 p.m. Friday-Saturday
    - iii. All outdoor lighting shall comply with the Jackson County Lighting Ordinance
    - iv. A balloon test shall be required to identify the proposed structure height along with photo simulation of the structure.
- (iii) Townhome/Condominium Community.
  - (1) Convenience store greater than 10,000 sq. ft.
- (iv) Gateway.
  - (1) All buildings that exceed 20,000 square feet in gross floor area.
- (v) Village Center.
  - (1) Projects of more than 60,000 square feet in gross floor area with the following conditions:
    - i. An internal street system shall provide access to and connect all structures and uses within the Village Center development.
    - ii. The internal street system shall create blocks within the development that provide sites for parking and/or for buildings.
    - iii. The internal streets shall have a sidewalk on at least one side and street trees shall be provided on both sides of the street unless these requirements are waived by the 441 Corridor Council.