

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: March 11, 2016

RE: Planning Department Update

1. Jackson County Ordinance Review- the Planning Department has been reviewing the 22 development ordinances (includes the 2 ordinances that establish the Planning Board and Board of Adjustment) in order to provide a recommendation to the Board as to the most effective manner of managing our development ordinance. To this end, we have been researching the cost and the processes associated with developing a UDO and expect to request the Board's consideration during the budgeting process.
2. As a part of this review we looked at the County sign ordinance (applies to all areas of the County, outside the municipal limits and zoned areas) and discovered that much like the zoned areas of the County, off premise signs located with the rights-of-way (other than governmental signs) are prohibited. We currently collect these signs in the zoned jurisdictions and will begin to actively enforce this provision throughout the County.
3. Industrial Development Ordinance update- Staff has worked with the Planning Board on the amending the ordinance. It is still in the draft phase, and no recommendation has been made at this point, but I think it is beneficial to update the Commissioners and gain feedback. There are a couple notable changes being discussed. One is specifically addressing hydraulic fracturing, which I believe would be covered under our current mining regulations. Proposed amendments would define and specify it as a type of mining. I should note that the State has preempted the County on this issue. Counties can only regulate typical development standards like setbacks and buffering. However, the current or proposed regulations could be appealed to the State by a potential applicant and if the State determines that the regulations have the effect of prohibiting the use, they can be overturned.

Another notable change being discussed is in how we address commercial junk yards and private properties storing junk. Currently, junk yards are only addressed when they are commercial businesses. The Planning Board has been looking at options to address all junk yards whether they are commercial or private (private meaning junk stored on private property not for commercial purposes).

From an administrative and enforcement perspective, addressing the issue in a clear manner, i.e. should we allow private junk yards or not allow them is the best approach. Staff has worked with the Planning Board on creating a draft definition of private junk yard as any property having more than 500 square feet of trash or more than three junk vehicles on the property (I would note that this definition is a potential starting point, may be changed). Creation of an amortization period will also be included, possibly two years, to allow those with private junk yards with ample time to remove the junk from the property.

The Planning Board has requested staff to continue to refine these concepts into a final draft that can be reviewed at their May meeting. The Planning Board also requested that staff research any programs that are available to assist property owners in cleaning up their property, if the proposed regulations are adopted.

4. I will note that the Cashiers Planning Council will hold their board training on Monday March 28 and Wednesday March 30 from 3:00 pm-5:00 pm at the Cashiers Library. Likewise, the Planning Board will hold their training on Monday April 11 and Thursday April 14 from 6:00 pm-8:00 pm at the Department on Aging-Heritage Room. The Commissioners are invited to attend these sessions.