

JACKSON COUNTY PLANNING BOARD

MINUTES

Date: February 10, 2022

Time Begin: 6:03 p.m.

Time End: 7:17 p.m.

Location: Department on Aging, Heritage Room

Members	Present	Absent		Present	Absent		Present	Absent
Emily Moss	X		Tamera Crisp		X	Joyce Cooper		X
Sandy Davis	X		Brad Waldrop	X		Thomas Taulbee	X	
Brian Barwatt	X		Mark Letson	X		Ken Brown	X	
Kirk Shufelt	X		Ollin Dunford	X				

Staff Present:

Michael Poston- Planning Director

John Jeleniewski- Senior Planner

Heather Baker- County Attorney

Allison Kelley- Administrative Assistant III

Anna Harkins- Planner I

Others Present:

Debra Sloan, NC Department of Agriculture

Lisa McBride, WNC Farm to Table

Kendra Norton, Jackson County Cooperative Extension

Call to Order and Quorum Check

Chairman Mark Letson called the meeting to order at 6:03 p.m. and a quorum was present.

Oath of Office

Allison Kelley, clerk to the Board read the Oath of Office for new Board member Ken Brown and he affirmed to execute the duties of Planning Board Member according to the best of his skills and abilities.

Approval of the Agenda

Brad Waldrop made a motion to approve the agenda as written. Kirk Shufelt seconded the motion, and it carried unanimously.

Approval of the Minutes

Kirk Shufelt made a motion to approve January 13, 2022 minutes. Brad Waldrop seconded the motion, and it carried unanimously.

Public Comment

There were no public comments.

New Business

a) Industrial Development Standard Discussion

Mr. Poston stated the board's focus is shifting to policy discussions for growth and development to assess current needs and opportunities for the county. The county's current industrial development standards or also referred as heavy industry ordinance, which includes

asphalt plants, large industrial type of processes, and large chemical plant type of uses has ordinance regulation standards for these type of uses. One of the standards is the location of these type of uses must be located 1,320 linear feet from either property that is being used for commercial use, church, daycare center, assisted living facility or from the closest exterior wall of a residential structure. Mr. Poston stated these standards tend to be quite prohibitive to find a piece of property that can meet that setback in Jackson County. He stated this ordinance was adopted many years ago in response to asphalt or concrete plants looking to locate themselves in the county. He stated it is typical in a heavy industry type of ordinance to have this type of setback, and we see that type of setback for sexually oriented businesses or adult uses. These types of uses are allowed, however it would be difficult to find properties to put that type of use on. In addition, included in the heavy industry are stockyards, slaughterhouses, or processing facilities for animal processing. Mr. Poston stated they began having conversation in 2019 about allowing for opportunities for animal processing facilities for chickens or smaller animals such as rabbits. In addition, he stated he has people in the community that have knowledge and can speak to what each concept means.

Debra Sloan stated when they began conversations with the Planning Department when several people were out of compliance and were processing chickens at their house. The Department of Agriculture has a 10,000 bird exemption and they will inspect your facility that you set up, and you can process up to 10,000 birds on site. Ms. Sloan encouraged the Board to look at the ordinance from the perspective of small animals such as birds of all kinds, gamebirds, rabbits, etc. and look at larger animals such as beef, hogs, goat, lamb, etc. Small animals and large animal processing facilities are very different. In addition, she stated President Biden has come out with funds to help develop large animal processing facilities. Over the approximately six years, she has heard from producers that they do not have any place they can get their beef or hog slaughtered, or she calls the processing facility which tells her to put the animal on hold for four months which is a growing problem. She stated if you were to build it, they would have the business. In addition, if the Board were to put this into consideration for large animals as a big endeavor it would be serious commitment, and they would have to hire someone who is an expert to run the business. Ms. Sloan stated she could send the Board more information, and urged them to consider taking the industrial development ordinance and splitting it in half. She asked the Board to allow the smaller farmers to process their own small animals, and they can add appropriate setbacks, standards and regulations for the two types of processing (small vs. large animals). Ms. Sloan stated these smaller farms could process at home in a good and clean way, which would help open up many markets such as for WNC Farm to Table business. In addition, it would encourage people to grow birds, or rabbits and they would know that they had a market to grow and sell.

Mr. Poston stated this Board cannot make the decision to open up a facility but can create regulatory language that would allow these types of business uses to exist. Brain Barwatt inquired what Ms. Sloan meant by splitting the ordinance in half. Ms. Sloan stated the current ordinance is a catchall because it says slaughterhouses; however, there are two different processing types' small and large animals. The ordinance could address both processing types and have specific language for each type. Lisa McBride stated in most of the counties farms can process chickens at their house under certain standards or on their farm for commercial sale. In the county, they cannot do that, she use to run Jackson County's Farmers Market and they had a farmer there that did not realize that was part of the ordinance and they had to stop. She stated they are experiencing supply chain issues; she has only one farmer in Franklin, and in Waynesville. Ms. McBride stated they would want to split up small and large animals to allow them to process on their farm under certain standards or have a specific independent facility and that would regulated by NCBA and FDA. She stated she owns and manages WNC Farm to Table and over the last 18 months, she sold wholesale products to two restaurants in Sylva of approximately \$85,000, which proves there is a market. She stated her business would open on April 1, 2022 to the public where

they can order online and pick up at a wholesale price to make it more affordable to customers. Ms. McBride stated this increasing the market, as when you do not have access to beef or chicken where will you get your product to purchase. Over the last year, along with the pandemic it has helped proved the need for a stronger local food system to offset when supplies are out at grocery stores. She stated not everyone would buy local, but there is a market for it and it provides the opportunity to fill some of the supply chain gaps we have been experiencing. Ms. McBride stated she went through approximately 70 lambs for one restaurant, currently she cannot get any processed right now because of one space in Western North Carolina to process is having to redo their safety standards to meet MSA. In addition, she stated she spoke with the head of meat and poultry at Cooperative Extension for the state that said the closest processing facility is in Taylorsville or Rutherfordton, NC. Ms. McBride stated that is a big distance for people to have to transfer their animals. She stated if the Board needs help with the standards, they could bring people in to help develop those standards. Separating standards for small and large animal processing will keep people farming and provide a market.

Brad Waldrop asked for clarification on how the ordinance does not allow this type of processing. Mr. Poston stated they categorize slaughterhouses as heavy industry, and these types of uses can occur in Jackson County as long as they have met the ordinance standards. He stated the Board began these discussions in 2019 if there was a way to allow for these types of uses that could be easily achieved by property owners but mitigate any potential impacts to the community by creating appropriate ordinance standards. Staff asked the Board for guidance moving forward on this topic.

Ken Brown inquired if they define slaughterhouses in terms of size or number of animals being processed. Mr. Poston stated no they do not define by number or size they go back to the dictionary definition that does not specify the number of animals processed, and this type of use is in terms for commercial purposes only. Ms. McBride stated she would recommend the Board consider guidelines for volume, along with how to get rid of waste in the cleanest way possible. She stated from her standpoint it is a liability selling the product to a restaurant or consumer as it is important to have an appropriate system of sanitation while processing these products.

Ms. Sloan asked Kendra Norton if in her experience working with the livestock industry for large animals, does she perceive that the demand for processing facility for animals far outpaces the facilities themselves. Ms. Norton stated yes and the pandemic has wreaked havoc on the supply chain, especially with local small farmers who depend on those smaller operations that can process large animals such as cow, pig, sheep, and goat. In addition, she stated there is a definite demand for these types of facilities in this area. Ms. Norton stated last year she had producers in Jackson and Swain County that could not get a cow processed and had to schedule out over a year. This is not ideal if you know the full process of finishing animals before processing, when the animal is ready, they do not want to wait as for small farms they cannot eat the cost it will cost to keep the animal on for longer.

Mr. Poston discussed crypto currency and data mining operations, which is a new emerging market and type of industry. Cherokee County has one data mining operations site and potentially another in their jurisdiction. He stated he talked with their county manager that informed him it looked like a storage container with a fence around it, and high powered cooling fans that make a lot of noise, which has gained the attention of adjacent property owners. In addition, he stated these types of operations house server banks that are constantly operating mining data for the cryptocurrency markets and blockchain currency groups. Mr. Poston stated these types of operations do not employ many people due to it processing data usually an offsite site location. He stated during his research he found two jurisdictions Missoula County, Montana and Leavenworth, Washington that have adopted ordinances addressing this type of industry. Mr. Poston stated some of their concerns are power production/power usage without having a power grid offset with either clean energy renewal or some type of renewable energy sources because of the amount of energy these types of operations can consume. In addition, these ordinances

discussed is noise, pollution, and architectural standards. Cherokee County to his understanding are looking to change their noise ordinance to regulate some of these issues. In addition, in conversations with Southwestern Commission Clay County has been considering and may have already passed a moratorium on these types of uses. Mr. Poston stated they want to begin these discussions to be ahead of the curve to start addressing some of these concerns before it is too late. The Board asked staff to begin gathering information regarding these types of uses for further discussion and put together ordinance language that may address these uses and potential issues.

b) UDO Sections to be Reviewed/Work Plan

Mr. Poston stated staff would begin bringing ordinance language to the Board regarding these sections that need to be updated.

Adjournment

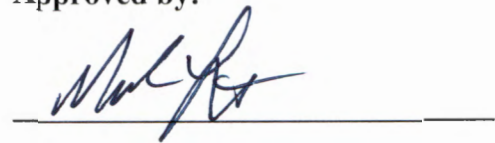
With no further business, Brad Waldrop made a motion to adjourn. Ollin Dunford seconded the motion and the meeting adjourned at 7:17 p.m.

Submitted by:

A handwritten signature in blue ink, appearing to read "Allison Kelley", written over a horizontal line.

Allison Kelley
Administrative Assistant – Planning

Approved by:

A handwritten signature in blue ink, appearing to read "Mark Letson", written over a horizontal line.

Mark Letson
Planning Board Chairman