

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
FOR THE TOWN OF MILLS RIVER**

151.665
153.003
154.138
154.156
626-08

**ARTICLE NO. 1
AUTHORITY**

This Ordinance is enacted by the Town Council of Mills River, North Carolina pursuant to Chapter 160A of the North Carolina General Statutes, particularly Article 18. Town Council does hereby ordain and enact into law the following amendments to the Zoning Ordinance for the Town of Mills River.

**ARTICLE II
AMENDMENT TO ZONING ORDINANCE**

The Zoning Ordinance of the Town of Mills River as enacted effective March 1, 2004, is amended to add the following revisions to the following articles, sections and subsections:

- ✓ 1. Section 151.005.
 - A. Delete "It should be noted that due to severe topographic conditions, inadequate road access, distance from services, unique natural areas, soils that do not easily support soil drainage systems or the proximity to existing and incompatible land uses, all land may not be suited to be developed for manufactured home parks."
 - B. Replace with "Reserved for future use".
- ✓ 2. Section 153.003.
 - A. Delete "The Subdivision Ordinance is based on the goals and objectives of the Town of Mills River. It should, however, be noted that due to severe topographic conditions, inadequate road access, distance from services, unique natural areas (as defined in § 154.026), soils that do not easily support soil drainage systems or the proximity to existing and incompatible land uses, all land may not be suited to be subdivided for the purpose of dense development.
 - B. Replace with "Reserved for future use".
- ✓ 3. Section 154.138.
 - A. Subsection (D) (1). Delete subsection (e) " If the Town Council has adopted or approved a comprehensive land use plan, establishments requiring a special use permit shall be located and developed in such a

manner as to be consistent with the goals and objectives as outlined in the plan.”

- B. Subsection (D) (1). Change subsection (f) to (e).
 - C. Subsection (D) (1). Change subsection (g) to (f).
4. Section 154.156.
- A. Subsection (C). Delete “No zoning compliance permit shall be required for those uses permitted by right in the MR-MU District, (See § 154.066(C)).
 - B. Change subsection (D) to (C).
 - C. Change subsection (E) to (D).

Except as specifically amended herein, the Zoning Ordinance of the Town of Mills River shall remain valid and in full force and effect.

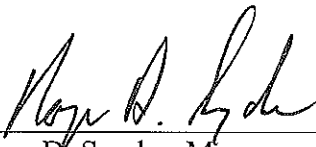
ARTICLE III SEVERABILITY

Each section and subsection of said ordinance as adopted herein constitutes a separate and distinct provision. Whenever possible, each provision of such Ordinance shall be interpreted in a manner as to be effective and valid under applicable law. In the event that any provision so such Ordinance shall finally be determined by competent court or tribunal to be unlawful or unenforceable, such provision shall be deemed severed from such Ordinance but every other provision of the Ordinance shall remain in full force and effect.

ARTICLE NO. IV EFFECTIVE DATE


This Ordinance and the Amendment to the Zoning Ordinance of the town of Mills River, North Carolina shall take effect and be effective at 12:01AM on June 27, 2008, and shall be in full force and effect at all times thereafter until duly amended.

ADOPTED AND PASSED by the Town Council of the Town of Mills River, North Carolina, this the 26th day of June, 2008.



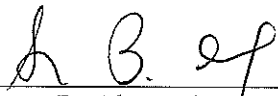
Roger D. Snyder, Mayor

ATTEST By:



Susan L. Powell, CMC
Town Clerk

Approved as to Form:



Sharon B. Alexander, Town Attorney

