

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

**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:

- **154.007 (B) – FARM, BONA FIDE.** Remove “as the principal use.” Section reads: “All land on which agricultural operations are conducted.”

- **154.109 – ONE PRINCIPAL BUILDING ON LOT** – amend to add “or the MR-LI District” at end. Section reads:

“Only 1 principal building and its customary accessory buildings may hereafter be erected on any 1 lot, except as otherwise provided in this chapter. This restriction shall not apply in the MR-MU District or the MR-LI District.”

- **154.111 – RELATIONSHIP OF BUILDING TO LOT** – amend to add “or the MR-LI District.” Section reads:

“Every building hereafter erected, moved or structurally altered shall be located on a lot, and in no case shall there be more than 1 principal building and its customary accessory buildings on the lot, except in the case of a specially designed group development of institutional, residential, commercial or industrial buildings in an appropriate zoning district, e.g., school campus, cluster housing, shopping centers, industrial parks, manufactured home parks and planned unit developments. This restriction shall not apply in the MR-MU District or the MR-LI District.

- **154.055 (A) MR-Light Industrial District** – amend to remove “principal.”
Section reads:

“(A) *MR-LI Light Industrial District*. Within the MR-Light Industrial District, the following uses are permitted:”

- **154.055 (A) (10)** – Add new Section (10) to read “(10) Child Care Centers.”
- **154.055 (A) (11)** – Add new Section (11) to read “Family Child Care Homes and Incidental Home Occupations per § 154.105(G).”
- **154.055 (A) (10)** – Re-number existing Section (10) to Section (12) and add “distribution”. Section reads: “(12) Manufacture, processing, distribution or fabrication of the following products:”
- **154.055 (A) (12)** – Remove existing letters (c) Child Care Centers, (f) Family Child Care Homes and Incidental Home Occupations per §§ 154.105 (G) and (h) Foods and food products. Re-letter and re-number remaining sections as follows:

“(12) Manufacture, processing, distribution or fabrication of the following products:

- (a) Animal feeds;
- (b) Bedding, carpets and pillows;
- (c) Clothing, including hosiery;
- (d) Electrical and electronic products;
- (e) Fiber-optic cable;
- (f) Foods, food products, beverages and beverage products, including bottling of beverages and beverage products;
- (g) Furniture industries;
- (h) Glass;
- (i) Household appliances;
- (l) Ice;
- (k) Leather goods, not to include processing or storage of raw hides;
- (l) Machine tools;
- (m) Metals and metal products;

- (n) Paints;
- (o) Paper products, not including the manufacturing or processing of paper;
- (p) Plastics;
- (q) Pottery, porcelain and vitreous china;
- (r) Rubber products, not to include the processing or manufacture of rubber;
- (s) Soap, detergent and washing compounds;
- (t) Textiles.

(13) Group 1 communications towers and tower activities (as defined in and subject to the requirements in §§ 154.086).

(14) Group 2 communications towers and tower activities (as defined in and subject to the requirements in §§ 154.086).

(15) Group 3 communications towers and tower activities (as defined in and subject to the requirements in §§ 154.086).”

- **154.055 MILLS RIVER LIGHT INDUSTRIAL** – add new section (B) to read:

“(B) *Secondary uses*. For purposes of this §154.055, a secondary use is defined as a use which is incidental, supplemental or accessory to the principal use of the property and may include a structure or structures at any location upon the property, which structure is utilized for a secondary use. Within the MR-Light Industrial District, the following secondary uses are permitted:

- (1) Cafeterias, restaurants and pubs, including catering activities.
- (2) The promotion, sale and tasting of products manufactured or processed on site.
- (3) Recreation facilities (indoor and outdoor).
- (4) Assembly, including venues for entertainment and other special events and conferences.
- (5) Facilities for alternative energy sources, including but not limited to solar panels, wind turbines, and converters or processors to recycle materials into usable energy to be used on site.
- (6) Retail facilities (gift shop, sundry shop)
- (7) Sales training and meeting facilities related to the principal use, including overnight lodging.
- (8) Agriculture for production of goods to be used in connection with any permitted

principal or secondary use.

(9) Adult Day Care Centers and Adult Day Health Centers, provided that the structures comply with the District's setbacks.

- **154.055 (B) *Conditional Uses*** – Re-letter to (C) *Conditional Uses*.
- **154.055 (C) *Conditional Uses*** – Amend to remove the following:

(2) Adult Day Care Centers and Adult Day Health Centers; provided that the use is secondary to the primary use of commercial or industrial business on site and that the structures comply with the District's setbacks.
- **154.055 (C) *Conditional Uses*** – Amend to re-number existing number (3) to number (2).
- **154.055 (C) *Dimensional Requirements*** – Re-letter to (D) *Dimensional Requirements*.
- **154.055 (D) (7) *Dimensional Requirements*** – Amend to 80 feet. Section reads: “(7) Maximum height of building: 80 feet.”
- **154.055 (D) *Accessory Structures*** – Re-letter to (E) *Accessory Structures*.
- **154.055 (E) *Off-street parking and loading requirement***. – amend to add “and within the required setback.” Section reads:

154.055 (E) *Off-street parking and loading requirement*. Off-street parking as required by this chapter may be permitted in required yards and within the required setback, but shall not be closer than 10 feet from the front property line or any dedicated street right-of-way.
- **154.055 (E) *Off-street parking and loading requirement***. – Re-letter to (F) *Off-street parking and loading requirement*.
- **154.055 (F) *Buffer/screening requirements***. – Re-letter to (G) *Buffer/screening requirements*.

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**

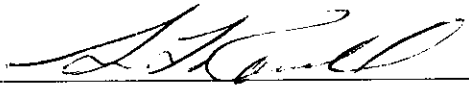
This Ordinance and the Amendment to the Zoning Ordinance of the Town of Mills River, North Carolina shall take effect and be effective at 12:01AM on March 23, 2012 and shall be in full force and effect at all times thereafter until duly amended.

ADOPTED AND PASSED by the Town Council of the Town of Mills River, North Carolina, this the 22nd day of March, 2012.



Roger D. Snyder, Mayor

ATTEST By:



Susan L. Powell, MMC
Town Clerk

