

**ORDINANCE IMPOSING a MORATORIUM  
on the ISSUANCE of ZONING PERMITS PURSUANT to  
TINY HOME PARKS, PARK MODEL PARKS, and  
RECREATIONAL VEHICLE PARKS  
in the TOWN OF MILLS RIVER**

**BE IT ORDAINED** by the Council of the Town of Mills River

**PURPOSE.** Concern has been expressed by the Town of Mills River Planning Board about the immediate need for modification to certain aspects of the Zoning Ordinance of the Town of Mills River, North Carolina pertaining to the land use of tiny home park, park model park, and recreational vehicle parks due to the emergence of tiny homes as viable land use for which the town has no definition and no specific development standards and due to park model parks and recreational vehicle parks lacking specific development standards in town. The town considered amending the ordinance by using development standards that were applicable to other existing uses but determined that tiny home parks, park model parks, and recreational vehicle parks are unique land uses and require time to research and develop standards that are specific to the uses. The town needs to determine if these uses are temporary or permanent in nature for the reasons of census data, taxation, infrastructure allocation, impact on adjoining land uses and define them as such. This will ensure the most efficient and expeditious review of these land use issues and about the demands upon the Town of Mills River in regard to review of potential applications and other matters while the Planning Board is involved in the process of reviewing and rewriting such ordinances. The purpose of this ordinance is to impose a moratorium on the issuance of Zoning Compliance Permits, Waiver of Zoning Compliance Permits, Special Use Permits, Conditional Use Permits and Variances allowed pursuant to the following land uses within the Town of Mills River:

**Tiny home parks, park model parks, and recreational vehicle parks**

for a definite and reasonable period of time to enable the Town of Mills River Planning Board and the Town Council to consider amendments to the Zoning Ordinance which would include specific development standards for tiny home parks, park model parks, and recreational vehicle parks to ensure these uses have development standards and are consistent and in harmony with the unique character of the Town of Mills River. Developing standards for tiny home park, park model park, and recreational vehicle park land use issues arising before the Town of Mills River Planning Board, Zoning Administration and the Town Council will allow for a more efficient and expeditious review.

**AUTHORITY.** This Ordinance is enacted pursuant to the authority of Article 19 of Chapter 160A of the North Carolina General Statutes and of N.C.G.S. §160A-174 and §160A-381.

**JURISDICTION OF ORDINANCE.** This Ordinance shall apply to all property within the corporate limits of the Town of Mills River.

**MORATORIUM.** There is hereby imposed a moratorium on the issuance of Zoning Permits allowed pursuant to the following land uses within the Town of Mills River:

**Tiny home parks, park model parks, and recreational vehicle parks**

This moratorium shall be adopted on the 9<sup>th</sup> day of November, 2017, and shall continue in full force and effect until 11:59pm on the 9<sup>th</sup> day of May 2018, unless sooner terminated by other act of the Town Council. The Town will need this period of time to perform its due diligence to identify all of the unique and critical issues related to these developments and to determine how they should be properly addressed.

The Town plans to take action accordingly with the following steps:

1. Staff will research the issues presented by use of property for tiny home parks, park model parks, and recreational vehicle parks which will include studying ordinances from other jurisdictions that have regulations for these uses.
2. The Planning Board and staff will utilize the research conducted to develop standards, including defining the uses of tiny home park, park model parks, and recreational vehicle parks as well as determining specific development requirements.
3. Staff will draft an ordinance specific to tiny home parks, park model parks, and recreational vehicle parks.
4. The draft ordinance will be considered by both the Planning Board and Town Council based on Chapter 160A of the North Carolina General Statutes and of N.C.G.S. §160A-174 and §160A-381.

**SEVERABILITY.** If any portion of this Ordinance is deemed unconstitutional or unenforceable by a court of competent jurisdiction, the remainder shall remain in full force and effect.

**ENFORCEMENT.** This ordinance may be enforced by any legal and equitable remedies including but not limited to injunctive relief.


**EFFECTIVE DATE.** This Ordinance shall be effective as of 12:01am the 10th day of November, 2017 and shall be in full force and effect from and after the original date of adoption.

**ADOPTED THIS** the 9<sup>th</sup> day of November, 2017.

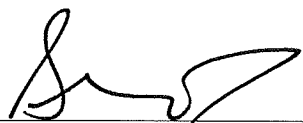
TOWN OF MILLS RIVER COUNCIL

ATTEST:

  
 \_\_\_\_\_  
 SUSAN L. POWELL, MMC, NCCMC  
 Town Clerk

  
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 LARRY FREEMAN  
 Mayor

APPROVED AS TO FORM:

  
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 Sharon Alexander, Town Attorney

