

**ORDINANCE NO. 2018-01**

**AN ORDINANCE AMENDING THE TOWN OF MILLS RIVER CODE OF  
ORDINANCES**

**CHAPTER 153 – SUBDIVISIONS**

**CHAPTER 154 – ZONING**

**153.081 BUFFERS FOR MAJOR SUBDIVISIONS**

Buffers for major subdivision shall be planted per the criteria found in Section 154.232.

For residential subdivisions, a buffer strip of no less than 60 feet wide is required adjacent to a street and no less than 10 feet wide is required around the perimeter of the subdivision. For street buffers, the buffer strip area can be reduced to 30 feet with an earth berm.

For commercial or industrial subdivisions, a buffer strip of no less than 10 feet wide is required where lots back up to or are adjacent to a major street or between dissimilar uses of land such as a residential area.

Retention of existing vegetation that would provide an equivalent buffer is encouraged. The Planning Board shall have the authority to determine if existing vegetation fulfills the intent of the buffer requirement or if additional vegetation should be planted.

Street and perimeter areas shall be maintained by the developer or by an owner's association.

**154.230 LANDSCAPE PLAN REQUIRED**

(A) This section applies to all multi-family, commercial, industrial, and public land uses. Additionally, this section applies to any off-street paved parking areas in any residential zoning district which exceeds 6 parking spaces. Parking decks are excluded from this section.

**154.232 STREETS OR PERIMETER PLANTING BEDS**

(A) Street and perimeter planting beds shall be at least 10 feet in width and shall be provided for all commercial or industrial uses that are visible from the public right-of-way.

(1) Plantings within this area shall include trees and vegetative ground cover.

(2) Earth berms may be used in addition to, but not instead of plantings. Earth berms should have a minimum of 4 feet at its highest point. Walls constructed of similar material as the principal building and not exceeding 3 feet in height may also be used; however, they may not be used instead of plantings.

(3) Planting areas shall be protected from vehicular encroachment by curbing or wheel stops at least 4 inches in height.

(B) One large shade tree (expected height of 15 feet at maturity) is required for every 40 feet of linear street frontage of the lot minus the width of driveways and access points.

(1) Required street trees shall be placed 30 feet apart at minimum or 50 feet at maximum.

Example: If a lot has street frontage of 150 feet on Hwy 280 and a proposed driveway is a total 30 feet in width, the developer will be required to plant 3 trees in the perimeter planting bed.

(2) Inclusion of existing trees in the landscape design is encouraged.

(C) Shrubbery, ground cover, and other planting materials shall be used to complement the tree planting.

(1) No area in the perimeter planting area may be exposed soil, but instead shall be covered with vegetation, whether grass, mulch or shrubbery. The only area which shall remain uncovered is the 6 foot radius surrounding the trunk of any tree; however, it is recommended that this area be mulched.

(2) Within the perimeter planting bed, shrubs shall be planted at a minimum rate of 3 per every 100 square feet.

Example: If a perimeter planting bed has a total square footage of 950 square feet, then the developer is required to plant 28 shrubs within the planting bed.

(3) Shrubs shall be a minimum of 18 inches in height at planting and reach a minimum height of 36 inches in 3 years. No more than 50% may be deciduous.

(4) At the discretion of the Zoning Administrator, the requirement for street trees may be waived if the applicant submits detailed plans which show a suitable vegetation screen will surround the perimeter of the property adjacent to public rights-of-way. An example of a suitable vegetative screen would be an appropriate combination of earth berms and evergreen hedges.

### **154.233 INTERIOR PLANTINGS**

All parking areas (not including parking decks) ~~exceeding 30,000 square feet in size~~ shall provide and maintain landscaped planting areas within the interior of or adjacent to the parking area or both, which planting areas shall exclude and be in addition to the street or perimeter planting beds.

(A) Landscaped planting areas are to be located within or adjacent to the parking area as tree islands, at the end of parking bays, inside medians, or between rows of cars. Planting areas shall be protected from vehicular encroachment by curbing or wheel stops at least 4 inches in height.

(B) There shall be 1 large shade tree for every 10 parking spaces. There shall be 1 large shade tree for any additional 1,500 square feet of driveway or loading area.

(C) There shall be 6 shrubs 10 parking spaces. There shall be 2 shrubs for every 500 square feet of additional area of driveway or loading area. Shrubs must be 18 inches tall at planting and reach a minimum height of 36 inches in 3 years. No more than 50% may be deciduous.


(D) All trees and shrubs are to be planted within a landscaped planting area not less than 175 square feet in area.

**ADOPTED AND PASSED** by the Town Council of the Town of Mills River, North Carolina, effective on the 12th day of January, 2018 at 12:01am.



Chae Davis  
Mayor

ATTEST By:



Susan L. Powell, MMC, NCCMC  
Town Clerk

