

**AN ORDINANCE AMENDING TITLE XV LAND USAGE
OF THE MILLS RIVER CODE OF ORDINANCES**

**ARTICLE NO. 1
AUTHORITY**

This Ordinance is enacted by the Town Council of Mills River, North Carolina pursuant to Chapter 160D of the North Carolina General Statutes. 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, and with various amendments, is further amended as to the following articles, chapters, sections and subsections:

Chapter 154.046 Corridor Overlay District

The purpose of this section of the Town's land development standards is to "preserve the aesthetic rural character of the community," by incorporating design elements "that preserve that heritage even as the town continues to grow and develop." Amendments in this ordinance can be found in Exhibit A.

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 12:01 AM on April 23, 2021 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 April 2021.



Chae T. Davis
Mayor

ATTEST By:



Susan L. Powell, MMC, NCCMC
Finance Director/Town Clerk



ADOPTED APRIL 22, 2021

1 **§ 154.046 CORRIDOR OVERLAY DISTRICT.**

2 (A) *Purpose.* The purpose of the Town of Mills River Corridor Overlay
3 District is to preserve the aesthetic rural character of the community. Prior to
4 incorporation, the Mills River community was predominately agricultural and rural
5 in nature. These guidelines attempt to incorporate design elements that preserve that
6 heritage even as the town continues to grow and develop.

7 (B) *Development standards and uses.* Dimensional requirements and all
8 other development standards shall be the same as for underlying zoning district(s)
9 except as modified herein.

10 (1) *Pre-existing structures.* Any structures already permitted at the
11 time of this section adoption shall not be required to comply; however, any additions
12 made to those buildings must meet the design criteria listed herein.

13 (2) *Permitted uses.* The following are the permitted uses within the
14 Corridor Overlay District.

15 (a) *Permitted uses.* Same as for underlying zoning district(s).

16 (b) ~~Conditional uses~~*Uses allowed by Special Use Permit.* Same
17 as for underlying zoning district(s).

18 (c) *Prohibited uses.* Same as for underlying zoning district(s).

19 (3) ~~*Frontage Applicability.— All non-residential and multifamily*~~
20 ~~*structures located within the 500' of the following roads shall be required to comply*~~
21 ~~*with these design requirements: All facades of principal structures and all accessory*~~
22 ~~*structures in the front yard or side yard of principal structures shall be required to*~~
23 ~~*meet the materials requirements of this section.— Facade visibility requirements will*~~
24 ~~*be assessed from the right-of-way of the following roads:*~~

25 (a) NC-191;

Town of Mills River, NC Code of Ordinances

ADOPTED APRIL 22, 2021

- 26 (b) NC-280;
- 27 (c) Ray Hill Rd.;
- 28 (d) School House Rd.;
- 29 (e) Banner Farm Rd.;
- 30 (f) Butler Bridge Rd.;
- 31 (g) Old Fanning Bridge Rd.;
- 32 (h) North Mills River Rd.;
- 33 (i) Jeffress Rd.;
- 34 (j) South Mills River Rd.;
- 35 (k) Old Turnpike Rd.; and
- 36 (l) Turnpike Rd.

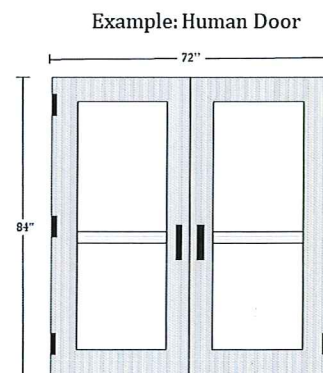
37 (C) *Design requirements.* ~~Only non-residential structures and multi-family~~
38 ~~dwelling structures shall be required to comply with these design requirements.~~

39 Each applicable structure shall meet the following design criteria and show
40 compliance on elevation drawings submitted to scale:

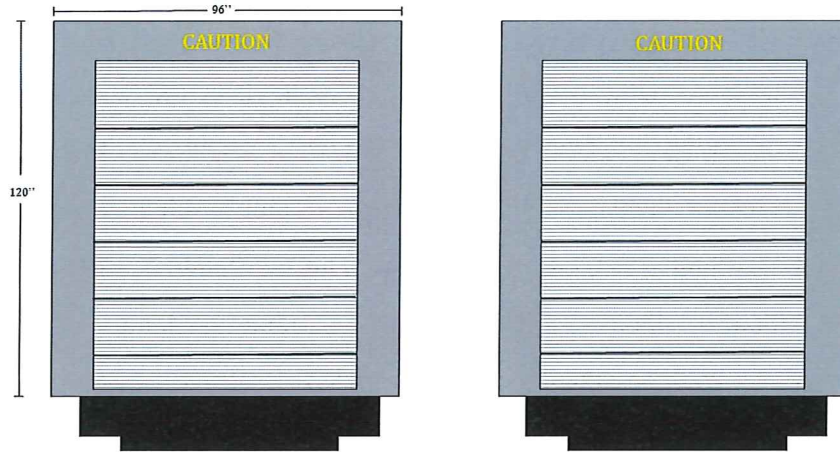
41 (1) *Materials.*

42 (a) Walls visible from the right-of-way of any of the roads
43 listed in § 154.270(B)(3) shall use at least 75% acceptable materials. Walls not visible
44 from the right-of-way of any of the roads listed in §
45 154.270(B)(3) shall use at least 40% acceptable materials.

46 The calculation of acceptable materials includes
47 functional windows as well —as doors designed for
48 human passage. Loading dock doors, bay doors, cargo
49 doors, loading ramps, freight doors, garage doors, or
50 similar are not considered acceptable materials as defined
51 below.



Example: Loading Dock Doors



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**This drawings are examples only, dimensions may vary depending upon final designs.*

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(b) Acceptable materials, rock, artificial natural looking rock,

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timber, artificial wood grain look, brick, natural stone, artificial natural stone

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look, wood shingle or artificial shingle look, or other material as approved by

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the Zoning Administrator that has the appearance of a natural material.

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Unfaced concrete block, vinyl siding, and corrugated metal siding, or similar

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are is-not acceptable as a-natural materials.

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(2) Elements to be included. Every 20 feet of the building shall

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include one of the following design elements: windows, porches, awnings, cupolas,

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material changes, façade depth changes of 6 inches or more, or doors.

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(D) *Parking requirements.* All development within this district shall be

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required to comply with §§ 154.106 and 154.107 of the Zoning Ordinance.

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(E) *Landscaping requirements.* All development within this district shall be

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required to comply with the applicable landscaping requirements beginning at §

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154.230 of the Zoning Ordinance.

ADOPTED APRIL 22, 2021

70 (F) Exemptions. Accessory structures 20% or less of the total floor area of
71 principle structure.

72 Example: Principle structure is 5,000 square feet. An accessory structure
73 of 1,000 square feet may be constructed without complying with the
74 acceptable materials standard of this section.

75 (G) Expansion of use. If an accessory structure is transferred to different
76 ownership, converted to a principle use, subdivided from the original lot,
77 or is expanded beyond the allowable 20% exemption, the entire structure
78 shall be brought into compliance with the standards of this section.

79 (Ord. 2020-07, passed 3-13-2020)

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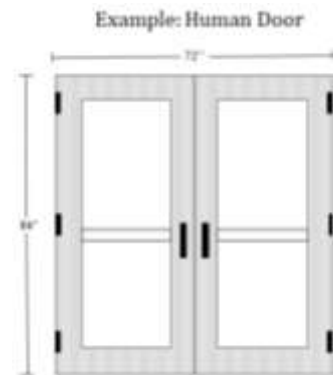
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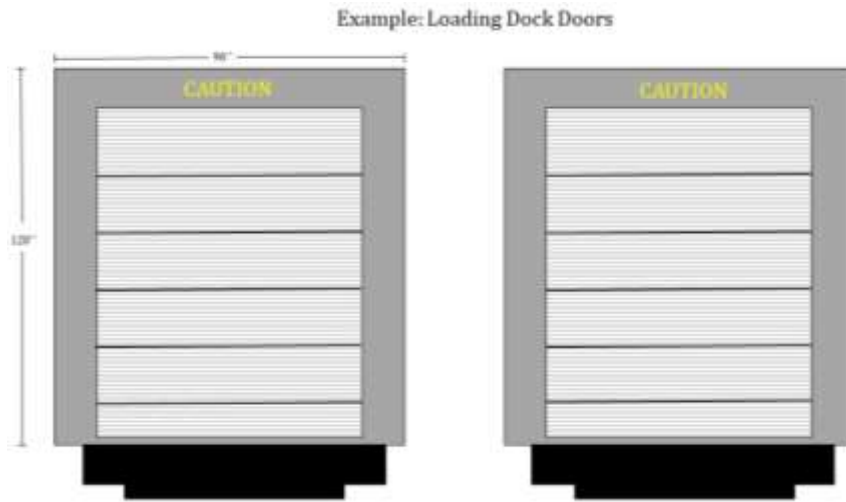
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