

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

**ARTICLE I
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 Code of Ordinances for the Town of Mills River.

**ARTICLE II
AMENDMENT TO LAND USE**

The Land Use Section of the Code of Ordinances of the Town of Mills River as enacted effective February 26, 2004, and with various amendments, is further amended as to the following articles, chapters, sections and subsections:

CHAPTER 154.046 Corridor Overlay Design Standards

Ordinance 2021-20 modifies Chapter 154.046 of the Mills River Town Code to correct an erroneously referenced section of code that no longer exists. See Exhibit A for further details.

Except as specifically amended herein, Chapter 154.046 of the Town of Mills River Code of Ordinances shall remain valid and in full force and effect.

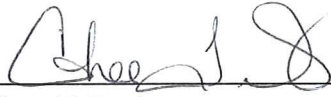
**ARTICLE III
SEVERABILITY**

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 Code of Ordinances of the Town of Mills River, North Carolina shall take effect and be effective at 12:01 AM on November 19, 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 18th day of November 2021.



Chae T. Davis
Mayor

ATTEST By:



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



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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) *Uses allowed by Special Use Permit.* Same as for
17 underlying zoning district(s).

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

19 (3) *Applicability.* All non-residential and multifamily structures
20 located within the 500' of the following roads shall be required to comply with these
21 design requirements:

22 (a) NC-191;

23 (b) NC-280;

24 (c) Ray Hill Rd.;

25 (d) School House Rd.;

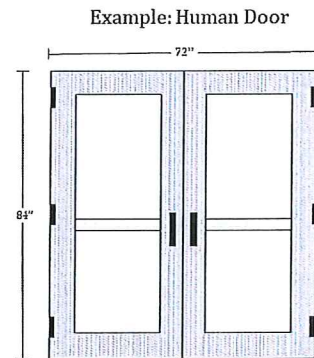
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- 26 (e) Banner Farm Rd.;
- 27 (f) Butler Bridge Rd.;
- 28 (g) Old Fanning Bridge Rd.;
- 29 (h) North Mills River Rd.;
- 30 (i) Jeffress Rd.;
- 31 (j) South Mills River Rd.;
- 32 (k) Old Turnpike Rd.; and
- 33 (l) Turnpike Rd.

34 (C) *Design requirements.* Each applicable structure shall meet the following
 35 design criteria and show compliance on elevation drawings submitted to scale:

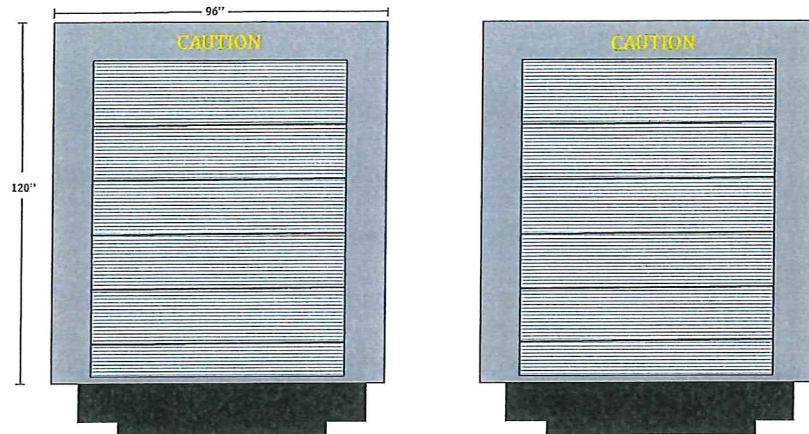
36 (1) *Materials.*

37 (a) Walls visible from the right-of-way of any of the roads
 38 listed in §154.046270(B)(3) shall use at least 75% acceptable materials. Walls not
 39 visible from the right-of-way of any of the roads listed in
 40 §154.046270(B)(3) shall use at least 40% acceptable
 41 materials. The calculation of acceptable materials includes
 42 functional windows as well as doors designed for human
 43 passage. Loading dock doors, bay doors, cargo doors,
 44 loading ramps, freight doors, garage doors, or similar are
 45 not considered acceptable materials as defined below.



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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, timber, artificial wood grain look, brick, natural stone, artificial natural stone look, wood shingle or artificial shingle look, or other material as approved by the Zoning Administrator that has the appearance of a natural material. Unfaced concrete block, vinyl siding, corrugated metal siding, or similar are not acceptable as natural materials.

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(2) Elements to be included. Every 20 feet of the building shall include one of the following design elements: windows, porches, awnings, cupolas, 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 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 required to comply with the applicable landscaping requirements beginning at § 154.230 of the Zoning Ordinance.

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63 (F) *Exemptions.* Accessory structures 20% or less of the total floor area of
64 principle structure.

65 *Example: Principle structure is 5,000 square feet. An accessory structure*
66 *of 1,000 square feet may be constructed without complying with the*
67 *acceptable materials standard of this section.*

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

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