

AN ORDINANCE AMENDING TITLE XV LAND USAGE OF THE MILLS RIVER CODE OF ORDINANCES, CHAPTER 154 (ZONING) IN ACCORDANCE WITH TXT-24-02

WHEREAS, the Planning Board discussed the inconsistency between allowed uses in the Mixed-Use zoning district and the preferred uses of the Rural Residential future land use category in the comprehensive plan.

WHEREAS, the Planning Board directed the Planning Director to initiate a text amendment to establish a rural residential zoning district in the Town of Mills River.

WHEREAS, the Planning Board voted unanimously at the May 7, 2024 public meeting to recommend approval of text amendment TXT-24-02 due to consistencies with the Town's Making Mills River 2040 Comprehensive Plan, specifically Goal 1; Objective 1.1, Policy 1.1.1, Policy 1.1.2 and Policy 1.1.3; Objective 1.4, Policy 1.4.5; and Objective 2.3, Policy 2.3.1.

WHEREAS, the Mills River Town Council held a public hearing on June 13, 2024 to consider said request, and gave the public an opportunity to be heard.

WHEREAS, the Town Council concurs with the Planning Board's consistency findings, approved a statement of plan consistency, and briefly explained why Council considers the action taken to be reasonable and in the public interest.

WHEREAS, 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.

WHEREAS, the Administration 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:

The proposed text is meant to establish a rural residential zoning district, meant to facilitate orderly development in rural areas of the Town not well served by public utilities where the primary uses of land are single-family residential on large lots, agricultural, and rural light commercial uses. The district is meant to allow uses compatible with the Town's rural areas while also maintaining the rural and small-town character of the community.

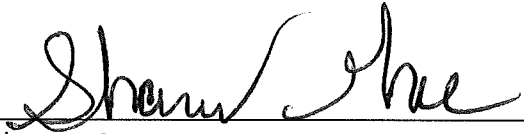
Except as specifically amended herein, Chapter 154 of the Town of Mills River Code of Ordinances shall remain valid and in full force and effect. Specific details are attached.

WHEREAS, 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.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLS RIVER:

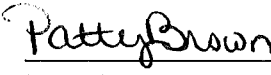
THAT, text amendment TXT-24-02 is comprised of the following: amendments to Chapter 154, see attached and shall take effect and be effective at 12:01 AM on June 14, 2024, and shall be in full force and effect at all times thereafter until duly amended.

ADOPTED AND PASSED by the Town Council of the Town of Mills River, North Carolina, this the 13th day of June, 2024.



Shanon Gonce
Mayor

ATTEST By:



Patty Brown, CMC, NCCMC
Deputy Town Clerk

