

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
FOR THE TOWN OF MILLS RIVER**

**ARTICLE NO. 1
AUTHORITY**

This Ordinance is enacted by the Town Council of Mills River, North Carolina pursuant to Chapter 160A of the North Carolina General Statutes, particularly Article 18. 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, is amended to add the following revisions to the following articles, sections and subsections:

Chapter 154. Zoning.

A. Amend Chapter 154 to add section 270 to read as follows:

154.270. Design Guidelines

(A) Purpose. The purpose of the Town of Mills River Architectural Design Guide Requirements is to preserve the historic rural character of the community. Prior to incorporation, the Mills River community was predominately agriculture and rural in nature. These guidelines attempt to incorporate design elements that preserve that heritage even as the Town continues to grow and develop.

(B) Applicability. Properties meeting all of the following criteria shall apply for the use of the Architectural Design Guide Requirements:

1. Use. Only non-residential and multi-family dwellings shall be required to comply.

2. Zoning District. The Guidelines shall apply in all districts except the Mills River Light Industrial District (MR-LI).

3. Frontage. Only parcels that have either frontage on or are within 1,000 feet of pavement on the following corridors shall be required to comply:

- a. NC-191
- b. NC-280
- c. Ray Hill Rd.

- d. School House Rd.
- e. Banner Farm Rd.
- f. Butler Bridge Rd.
- g. Fannings Bridge Rd.
- h. North Mills River Rd.
- i. Jeffress Rd.

4. Footprint. Only buildings with a footprint in excess of 5,000 square feet shall be required to comply.

5. Pre-existing Structures. Any structures permitted at the time of this ordinance adoption shall not be required to comply; however, any additions made to those buildings must meet the design criteria listed herein.

(C) Design Requirements. Each structure shall meet the following design criteria and show compliance on elevation drawings submitted to scale:

1. Materials. The street face of the building shall use at least 20% natural materials including any of the following: 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 is not acceptable as a natural material.

a. Up to 10% of the building window faces on the street side may count towards meeting the 20% natural material requirement.

2. Elements to be Included. Every 20 feet along the street face of the building shall include one of the following design elements: window, porches, awnings, copulas, material change or door.

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 12:01AM on July 23, 2010 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 July, 2010.



Roger D. Snyder, Mayor

ATTEST By:



Susan L. Powell, CMC
Town Clerk

