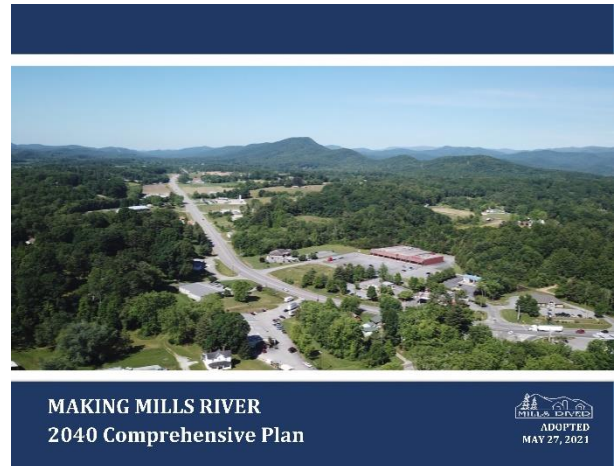




The Mills River Unified Development Ordinance project is an effort to create the Town’s first unified or consolidated set of development regulations. Currently, the Town maintains a series of separate land use regulatory documents like the Zoning Ordinance and Subdivision Regulations. The Unified Development Ordinance (or “UDO”) project seeks to consolidate these different documents into a new single volume that includes all relevant provisions. In addition to the consolidating the Town’s existing regulations, the new UDO implements the Town’s various adopted land use policy guidance like the Making Mills River 2040 Comprehensive Plan. This Adopted Policy Guidance document summarizes the Town’s relevant adopted land use policies and explores how these policies might best be implemented by the new UDO. Each relevant land use policy is identified in the table below and is supplemented with a recommendation about how that particular policy might best be implemented in the new UDO. This information is used to inform the recommendations for update to the UDO included in the Diagnosis Report (UDO project Task 2).

MAKING MILLS RIVER 2040 COMPREHENSIVE PLAN

Making Mills River 2040 Comprehensive Plan, and the corresponding map package, directs and informs day-to-day decision making on land use matters and provides guidance for the continuous evolution of Mills River. It establishes and promotes the Town’s vision for its future and how that vision can best be realized. It describes the Town’s desired development patterns and its future configuration. The table below sets out all the policy guidance in the Comprehensive Plan that is relevant to the UDO Update for Mills River. It describes the relevant policies and makes a recommendation about how each might be addressed in the new unified development ordinance.



MAKING MILLS RIVER 2040 COMPREHENSIVE PLAN		
Policy #	Policy Statement / Strategy	Potential Disposition in the UDO
Land Use Element		
1.1.1	Manage growth and new development to meet the goals, objectives and policies of the Comprehensive Plan and promote quality development.	Update and revise the line up of zoning districts and the Town’s zoning map based on the future land use map classifications and associated density guidance in the Comprehensive Plan. Raise the bar for development quality through new development and design standards.
1.1.3	Limit the types of uses, density of residential development and intensity of commercial development in areas that are not desirable for growth and not well-served by roadway infrastructure and public utilities.	Clarify the locations of areas not desirable for growth based on the Comprehensive Plan and ensure these lands are zoned in accordance with policy guidance. Properly calibrate the principal use table to reflect desired land uses and densities. Consider creation of overlays for environmental features like floodplains.



MAKING MILLS RIVER 2040 COMPREHENSIVE PLAN

Policy #	Policy Statement / Strategy	Potential Disposition in the UDO
1.2.1	Define areas where development will be targeted, create development regulations to define the nature of the development, and ensure infrastructure is available to support the demands created by development in target areas.	Clarify areas considered desirable for growth and the allowable intensity, as defined in the Comprehensive Plan. Incorporate procedures like transportation impact analysis, requirements for street continuation, incentives for efficient development patterns like conservation subdivisions, and clarity regarding utility extension through mandatory connection provisions. Identify preferred forms of development and make these the path of least resistance to establish through procedural or development incentives).
1.3.3	Use the Land Use Vision map as a guide for the formation of land development regulations and update of zoning districts and associated regulations	Establish an internal translation table between future land use designations established in the Land Use Vision map and the set of zoning districts in the UDO. Provide district regulations specific only to that zoning district, where applicable.
1.3.4	Refer to Land Use Vision map as a guide in the review of rezoning requests	Add consistency with the Land Use Vision map as a criterion in the rezoning, subdivision, site plan, and special use permit procedures.
1.4.1	Maintain the Code of Ordinances to have a clearly defined, statutorily consistent and objective set of development regulations.	Establish a unified development ordinance with provisions to address word usage, measurements, and graphic examples. Relocate development-related aspects of the Code of Ordinances into the new UDO.
1.4.2	Create and implement regulations related to use, building location, site design, parking, landscape and signs.	Review and update the current development standards (for parking, landscaping, signage, etc.) to raise the bar for development quality, add clarity, permit an appropriate amount of flexibility, and ensure the standards are clear to support ease in administration. Convert parking requirements to be based on building square footage. Establish landscaping standards for parking lots, zoning district edges, along streets, and as screening for site features. Add credits for retaining existing trees or consider a re-forestation approach. Bring the sign standards into compliance with the Reed ruling and control sign attributes (height, size, lighting, etc.) to support rural character.
1.4.3	Create and implement regulations related to the subdivision of land for residential and non-residential purposes.	Ensure the new UDO addresses exempt, recombination, family, minor, conservation, and major subdivision procedures. Structure subdivision review to be administrative or ministerial, and supplement with a separate construction drawing process for subdivisions that include public infrastructure.
1.4.5	Enact new and revised land development regulations within the Code of Ordinances on an as needed basis to meet the goals and objectives of the Comprehensive Plan.	Establish a new UDO as a stand-alone document (to ease in its update and maintenance). Consider embarking on a regular quarterly update process for the first 2 years following UDO adoption.





MAKING MILLS RIVER 2040 COMPREHENSIVE PLAN

Policy #	Policy Statement / Strategy	Potential Disposition in the UDO
1.5.2	Officially designate administrator roles as called for in the Code of Ordinances.	Clearly define individual administrative roles in Administration section. Outline processes and procedures for boards with review responsibilities under the UDO.
1.6.1	Maintain zoning districts and associated use requirements that supply an adequate amount and diversity of housing types to accommodate anticipated housing demand.	Ensure a variety of housing types included in use standards, including accessory dwelling units, small lot/small size options like pocket neighborhoods, conservation subdivisions in some areas served by sewer, and consider allowing duplexes and triplexes by-right in residential districts when they are constructed to appear as single-family detached dwellings. Permit multiple residential units on lots in mixed use districts.
1.6.2	Maintain zoning districts and associated use requirements that maintain land availability for the attraction and accommodation of commercial and industrial uses.	Ensure adequate zoning in appropriate areas on future zoning map to allow for non-residential development, and limit the ability for inappropriate development to be established in these districts. Review the current zoning map with respect to the amount of commercial land – commercial land should not exceed 30% of the Town’s land area (beyond 30% is an over-zoning which degrades land values and promotes vacancy) . Industrial zoning should be protected from residential and low intensity commercial use types.
1.7.1	Implement uniform architectural design standards that result in quality, resilient and attractive nonresidential structures that maintain rural character.	Incorporate a new set of design standards for commercial, mixed-use, and multi-family developments. Consider establishing design guidelines for residential development that allows for density bonuses for quality design.
1.7.2	Specify the appropriate size and location of freestanding and wall signs so as to not adversely impact the visual appeal of commercial corridors.	Review and update sign standards, including the range of sign types, with new limitations on allowable sign number, height, size, and illumination for pole signs (in favor of ground-based monument signage). Discuss community appetite for changes to maximum allowable sign size, height, number per lot, etc.
1.7.3	Promote the inclusion of natural materials such as stone, wood and brick in new non-residential and multifamily structures.	Create new building design standards for commercial, mixed-use, and multi-family developments and provide incentives for the use of optional design standards in residential uses.
1.7.4	Address the placement of buildings, landscape and buffering to maintain community appearance, view sheds and rural character.	Prepare a new comprehensive set of landscaping and screening standards that offer incentives for tree retention (or perhaps reforestation, as appropriate).
Housing and Neighborhoods Element		
2.2.1	Allow for a variety of housing types including single family dwellings, apartments, multiple unit buildings, townhomes, condominiums, accessory housing and manufactured homes	Review and expand the range of allowable residential and institutional housing use types. Define and create graphics to provide examples. Reevaluate zoning district standards for uses, densities, lot sizes, etc.





MAKING MILLS RIVER 2040 COMPREHENSIVE PLAN

Policy #	Policy Statement / Strategy	Potential Disposition in the UDO
2.2.2	Allow for specialized group housing, senior housing and other managed living arrangements.	Suggest utilization of conditional zoning to incentivize creative housing and mixed-use developments. Reduce lot width and frontage requirements to allow smaller lots for conservation subdivisions and for small lot/small size housing alternatives (each of which are subject to their own compatibility standards).
2.2.3	Establish and maintain development regulations for tiny homes, cabins and small-format housing.	
2.2.4	Maintain development regulations for recreational vehicle parks, camps and other temporary stay arrangements including what is allowed and how their use will be monitored and regulated.	Review and update use standards for campgrounds, RV parks, and short-term rentals to provide adequate utilities and prevent nuisance. Ensure uses are located in appropriate zoning districts.
2.2.5	Establish zoning districts and targeted development areas that specify the types of housing allowed in different areas within Mills River.	Establish a zoning district lineup in accordance with the Comprehensive Plan that allows a broader range of allowable housing type and that provides increased detail on preferred forms of development and configuration. Establish use-based dimensional standards for each zoning district.
2.3.1	Maintain regulations for residential lot sizes appropriate for new single-family development in rural and neighborhood-oriented areas for lots at or under two acres.	Evaluate current zoning districts and minimum lot sizes and revise in accordance with best practice (being careful to avoid creation of numerous nonconformities). Add new standards for the establishment of conservation subdivisions in areas served by sewer. Promote estate lots (of two acres in area or more each) in areas where sewer extension is unlikely.
2.3.2	Create and maintain standards for estate lot residential development for lots larger than two acres.	
2.3.3	Maintain policies specifying allowable densities for residential uses other than single family dwellings.	
2.3.4	Create policies that allow for cluster development and conservation subdivisions for the purposes of providing open space or preserving natural areas.	Develop conservation subdivision provisions for single-family residential development and cluster provisions within water supply watershed areas. Add new requirements for the provision of private common open space and parkland dedication (as well as fee-in-lieu alternatives). Explore greenway or multi-purpose trail provisions, where appropriate.
2.3.5	Define requirements for lot sizes and densities associated with townhome development.	Review required dimensional standards for each residential use (include attached single-family and detached multi-family use types).



MAKING MILLS RIVER 2040 COMPREHENSIVE PLAN

Policy #	Policy Statement / Strategy	Potential Disposition in the UDO
2.4.1	Ensure zoning districts and other land development regulations limit the negative impact of non-residential, non-agricultural development on residential development relative to traffic, noise, smell, light, hours of operation, and pollutants and contaminants.	Add new standards for landscaping, screening, open space provisions, exterior lighting, and other compatibility protection measures.
2.4.2	Ensure new neighborhoods and subdivisions are adequately resourced to manage land and infrastructure maintenance issues for common areas and roads.	Review and update the owner association provisions to address formation, maintenance responsibilities, transfer of maintenance responsibility, and the establishment of reserve funds by the subdivider prior to maintenance transfer. Clarify that the Town is not responsible for managing or enforcement private agreements like those in residential subdivision CCRs.
2.4.3.	Apply site design regulations that optimize ease of common area and private road maintenance.	Create design and maintenance standards for open space set-asides and add new standards for private streets (additional discussion is necessary regarding the ability of private streets to meet public street standards given topographic conditions).
2.4.5	Define housing types appropriate for existing residential lots.	Review current and proposed zoning districts for appropriate residential use types. Establish a by-right mixed-use district.
2.5.1	Establish standards for minimum housing	Discuss the Town’s ability to enforce minimum housing standards, and the degree to which this would take place only within the corporate limits or also within the ETJ.
2.6.1	Maintain clear guidance on the subdivision of property for the purposes of creating residential lots for development.	Update and review existing subdivision regulations along with review and update of modern subdivision design standards.
2.6.2	Establish regulations linking housing development to lot size, number of units allowed per lot, accessory structures and site access considerations.	Review and update zoning district provisions in accordance with the Comprehensive Plan and adopted policy guidance.
2.6.3	Specify conditions under which housing and other development is allowed without having to subdivide property.	Allow for the creation of condominiums, cottage homes, detached multi-family, and other residential arrangements that permit more than one dwelling unit per lot in appropriate circumstances.
2.7.1	Define areas where housing can be built in conjunction with non-residential development.	Establish a new by-right mixed-use zoning district and broaden the ability to locate residential and nonresidential development within the Town core and in multi-family areas.
2.7.2	Create land development regulations that specify the number, type, density and arrangement of buildings where residential and non-residential uses are allowed on a lot or tract of land.	





MAKING MILLS RIVER 2040 COMPREHENSIVE PLAN

Policy #	Policy Statement / Strategy	Potential Disposition in the UDO
2.7.3	Stipulate methods for measuring housing density when built in conjunction with non-residential development	Utilize maximum residential density (number of units per gross land area) and potentially maximum number of residential units per development for mixed-use development. Distinguish between density, minimum lot area, and maximum yield - maximum yield is the lesser of the two.
2.7.4	Allow for horizontal mixed use and vertical mixed use within buildings where housing and non-residential can exist in the same building in defined areas of the Town.	Permit and distinguish between vertical and horizontal use mixing. Implement design and use standards that allow for the placement of multi-buildings on a single site.
Natural and Agricultural Resources Element		
3.1.1	Seek opportunities to preserve forested land, lowlands and wetlands and critical habitat through land purchase arrangements, conservation easements or other measures	Consider new open space set-asides for passive recreation lands that require some or most existing tree areas to remain undisturbed. Encourage use of conservation subdivisions that preserve 50% or more of site areas. Explore establishment of resource conservation areas (floodplains, wetlands, areas with slopes over 25%) and limitations on development in these areas.
3.1.3	Include natural lands preservation guidance in subdivision regulations that promote cluster development or open space preservation.	Add standards for open space set-aside and conservation subdivisions.
3.1.4	Allow for and encourage habitat-promoting landscape treatments within landscape standards.	Add planting flexibility provisions that provide accelerated credit towards landscaping requirements for retention of existing trees. Establish penalties for clear cutting sites in advance of development without proper permits. Add incentives for configuring SCMs as site amenities rather than utility features.
3.2.1	Promote land disturbance and site development practices that limit unnecessary tree removal and deforestation.	Include disincentives for mass grading (in the form of doubled landscaping requirements) and consider mandatory reforestation standards for subdivisions.
3.2.2	Conserve existing trees and forested areas by promoting their use in buffer zones between uses	Add comprehensive perimeter buffer standards applied along district edges. Add incentives for tree retention, and consider reforestation standards for subdivisions that remove or lack a minimum percentage of land area under tree canopy.
3.2.3	Establish guidelines for tree plantings on site for new development and redevelopment projects where land development regulations call for perimeter plantings, interior plantings and residential buffers.	Incorporate comprehensive landscaping and screening standards that include plant material requirements, species diversity, and guidance on what is or is not permitted in required landscaping areas. Consider adding an allowable plant list as an appendix.
3.3.1	Continue working with Henderson County on the coordination of the Water Supply Watershed permitting process	Update the water supply watershed standards in accordance with the newest State model. Discuss if the Town wishes to administer watershed permitting.





MAKING MILLS RIVER 2040 COMPREHENSIVE PLAN

Policy #	Policy Statement / Strategy	Potential Disposition in the UDO
3.3.2	Establish site development practices that limit the impact of peak stormwater events relative to water flow and quality in commercial and residential areas.	Discuss the Town’s desire to become a delegated stormwater authority, maintain a hybrid approach that reserves some administration for the Town or if outsourcing stormwater & sedimentation permitting will continue.
3.3.3	Coordinate with Henderson County on establishing and maintaining erosion control measures during site development.	
3.4.2	Encourage neighborhood design techniques that limit the effects of highway and other noise in residential areas.	Establish 50-foot-wide streetscape buffer requirements along thoroughfare or arterial streets for new residential subdivisions.
3.5.1	Increase the availability of electric vehicle charging stations and promote electric vehicle use.	Add standards for EV charging stations as a secondary use and incentives for new non-residential and multi-family development to incorporate these features.
3.5.3	Make regulatory accommodations to allow alternative forms of energy production while limiting impacts to community appearance and character as well as viewshed.	Add new use-standards for energy-generating facilities (as principal and secondary uses), excluding geothermal.
3.5.4	Promote the use of energy efficient design practices in neighborhood, site and roadway design.	Explore the incorporation of sustainable development incentives that encourage energy-efficient buildings and compact development patterns.
3.6.1	Encourage the use and improved utility of the County’s Voluntary Farmland Preservation Program.	Add farmland compatibility standards for new development adjacent to land used for bona fide farm purposes. Clarify that rezonings on land adjacent to a participating farm must include notice about existing farm-related activity. Discuss other potential regulatory incentives, such as exemption of bona fide farm activity within the corporate limits.
3.6.2	Maintain the bona fide farm exemption from site development regulations relative to agricultural uses.	
3.6.5	Promote land uses and infrastructure that supports the local agricultural and food economy.	
3.6.6	Integrate farmland conservation considerations into natural lands preservation, parks and recreation and other related initiatives.	Add farmland preservation standards. Incorporate conservation subdivision provisions that permit continued farming and forestry on required open space set-asides.
Community Facilities and Services Element		
4.3.1	Promote development that expands the tax base and assists in sustaining the financial position of the Town.	Continue to support and expand industrial development in Mills River. Investigate the current zoning map with respect to the amount of commercial zoning (should not exceed 30%).





MAKING MILLS RIVER 2040 COMPREHENSIVE PLAN

Policy #	Policy Statement / Strategy	Potential Disposition in the UDO
4.3.2	Develop and employ policies and decision-making guidance and procedures that ensure long term fiscal responsibility is considered when making service-related, programmatic, land use, policy and capital improvements decisions.	Review and update decision criteria for procedures decided under the UDO. Discuss the notion of adding fiscal responsibility – how will this be determined?
4.3.3	Assess tax base and long-term fiscal responsibility considerations in all changes to the zoning element of the Code of Ordinances and all updates to the Comprehensive Plan.	
4.3.4	Establish and maintain zoning categories and land available for development that will ensure the long-term fiscal health of the Town.	Revisit zoning designations and the permitted range of uses in each based on the Comprehensive Plan.
4.6.1	Identify policies, programs and investments that preserve and provide care for the Town’s historical and cultural assets	Discuss the degree to which the Town wishes to establish a local historic overlay zoning district or historic landmark provisions (either of these are required to undergo a separate process in tandem with the NC State Office of Historic Preservation’s involvement).
4.6.3	Implement programs, events and interpretive installations that promote the historical and cultural assets of Mills River.	
4.7.1	Create a plan for a Town Center to accommodate future facilities needs for the Town of Mills River in conjunction with residential, commercial and recreational uses.	Establish a Town Center zoning district (potentially with a series of sub-districts) based on the Comprehensive Plan Land Use Vision Map.
Parks and Recreation Element		
5.1.1	Maintain and implement the Town of Mills River Parks and Recreation Master Plan and any future adopted additions and changes.	Establish a comprehensive set of open space standards that require all forms of development to provide either active, passive, or gathering recreation area. Discuss the potential for requiring residential development to provide parkland or a fee-in-lieu of land.
5.1.4	Consider impact on Mills River Park when revising adjacent development proposals	Configure perimeter landscaping buffer standards to recognize and provide buffers adjacent to parkland. Include new requirements for open space and parkland dedication (if included) to connect to/be adjacent to existing parkland or open space on abutting sites.
5.2.2	Support the availability, access and management of blueways in Mills River for recreational purposes.	Prioritize access to existing blueways as a private common open space feature or aspect for inclusion in parkland dedication (if requiring).
5.3.2	Promote public use parks, trails and other recreation facilities in conjunction with new development and new neighborhoods.	Review and update sidewalk requirements and permit trails to be credited towards sidewalk standards. Require trail continuation/sidewalk connection as part of new pedestrian facility requirements. Discuss the degree to which the Town’s current policy guidance provides adequate clarity for new requirements for greenways.
Infrastructure and Economic Development Element		



MAKING MILLS RIVER 2040 COMPREHENSIVE PLAN

Policy #	Policy Statement / Strategy	Potential Disposition in the UDO
6.2.1	Consider the availability and capacity of land to support job development in land development review and policy formation.	Protect industrial-zoned areas from incompatible development that could push out or constrain industrial operations. Review the amount of commercial zoning to ensure the Town is not over-zoned for commercial development (max. of 30% is suggested).
6.2.2	Maintain zoning categories that allow for job oriented uses	Review zoning district line up and allowable uses. Discuss the degree to which the Town wishes to permit residential development within commercial zoning districts (the new UDO will include at least one mixed-use district).
6.2.3	Make adequate provision for business formation, working and operating small businesses in residential areas.	Review and update residential zoning districts provisions and provide a comprehensive set of secondary use provisions that allow low- and moderate-intensity home occupation use types in appropriate areas.
6.4.3	Identify land suitable for commercial development and maintain an adequate supply of developable land to support new investment.	Review the amount of commercial zoning to ensure the Town is not over-zoned for commercial development (max. of 30% is suggested).
6.4.4	Promote the expansion of the visitation economy in creating and implementing policies, making investment decisions and undertaking economic development initiatives.	Establish bed and breakfast, hotel/motel, campground/RV park standards. Discuss the degree to which the Town wishes to add standards for short-term rental uses and in what districts.
Transportation Element		
7.1.2	Continue active participation in the regional transportation planning process overseen by the French Broad River Metropolitan Planning Organization.	Include the MPO as a member of the Town's Technical Review Committee (who reviews and comments on site plans, concept plans, subdivisions, and pre-application conferences).
7.2.3	Encourage transportation facility design strategies appropriate for each context area.	Incorporate a transportation impact analysis requirement (and corresponding standards for inclusion of recommended on-site and off-site roadway system improvements) for new development likely to generate more than 1,000 vehicle trips per day or over 100 vehicle trips per hour in the peak AM and PM periods (based on ITE standards).
7.3.1	Maintain standards for new roads built in conjunction with land development.	Include a comprehensive set of street design and site access standards in the UDO. Discuss the degree to which the Town can/should require private streets to meet public street standards.
7.3.2	Coordinate standards development with NCDOT roadway standards and typical sections.	Discuss if the Town wishes to rely on NCDOT standards for the streets it maintains. Clarify in the site plan and subdivision procedures that where required, roadway construction and dedication is required. Incorporate new standards for street continuation, street connectivity, and parking lot cross access along major roadways.
7.3.3	Ensure roadway right-of-way standards for new roads are met at the time of property subdivision.	



MAKING MILLS RIVER 2040 COMPREHENSIVE PLAN

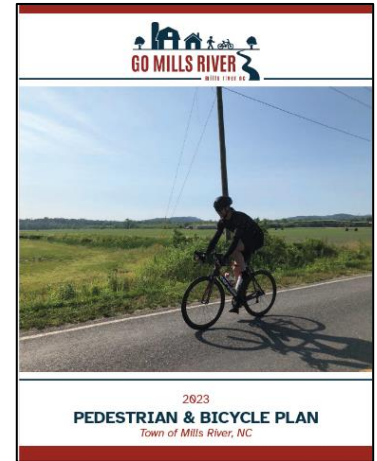
Policy #	Policy Statement / Strategy	Potential Disposition in the UDO
7.4.1	Administer parking standards for commercial, industrial and residential development.	Establish a comprehensive parking and loading section that establishes parking standards for each listed principal use, a maximum standard for some commercial use types, bicycle and stacking space standards, as well as parking lot configuration provisions.
7.4.2	Ensure road and access drive connectivity between and among commercial development that front major roads.	Incorporate parking lot cross-access requirements for compatible developments fronting major roadways including provisions for fee-in-lieu when necessary.
7.4.3	Optimize the safe functioning of the transportation network through the provision of facilities, geometric design, traffic control and signs and markings.	Discuss the degree to which the Town relies on NCDOT's roadway design manual or its own standards.
7.4.4	Provide pedestrian paths connecting sidewalks in the right-of-way to building entrances.	Establish new comprehensive on-site pedestrian circulation standards for non-residential, mixed-use, and multi-family sites.
7.5.1	Specify conditions where new development projects require traffic impact analysis in conjunction with development review process.	Review and update the Town's transportation impact analysis requirements. Discuss the Town's desire to include a third-party review (costs paid by applicant) of proposed TIAs, or if the Town will only require in accordance with NCDOT provisions.
7.5.2	Maintain guidance on the methods and assumptions required for traffic impact analysis.	
7.5.3	Coordinate mitigation measures for transportation impacts identified by the Town with NCDOT and other stakeholders.	



GO MILLS RIVER 2023 PEDESTRIAN AND BICYCLE PLAN

The *Go Mills River 2023 Pedestrian and Bicycle Plan* is a guidebook for the future of transportation and recreation in Mills River. The plan’s approach was to answer four foundational questions as they relate to pedestrian and bicycle facilities and usage: Where are we now? Where are we going? How do we get there? How do we measure success? Understanding the rural and the community-focused nature of the area, the *Go Mills River Plan* inventoried current populations and commute patterns and completed a varied number of engagement opportunities. The plan ultimately developed a list of prioritized improvement projects, recommended programs and policies, and an implementation plan.

The table below outlines the policy guidance in the Pedestrian and Bicycle Plan that is relevant to the UDO Update for Mills River. It describes the specific recommendations that had been derived from the *Making Mills River 2040 Comprehensive Plan* and then explains how each might be addressed in the new unified development ordinance.



GO MILLS RIVER PEDESTRIAN AND BICYCLE PLAN

Recommendations	Potential Disposition in the UDO
Lower the Threshold for Requiring Sidewalk Development	Establish a new section on Pedestrian Facilities that addresses sidewalks, internal pedestrian circulation, multi-purpose trails, and greenways (if applicable). Require sidewalks on both sides of the street in urban areas, and along one side of the street in suburban areas. Add standards for when sidewalk is not required, but consider a fee-in-lieu for those instances as a means of funding missing sidewalk connections in urban and suburban areas. Permit greenways and trails to substitute for sidewalks.
Develop Connectivity Standards for Non-Residential Development	Include a new street connectivity index system with new requirements for multiple points of access to subdivisions. Add standards requiring pedestrian connection from dead-end streets to the adjacent sidewalks/trail system in urban areas.
Explore Inter-Parcel Connectivity Standards and Work with NCDOT to Identify Access Management Strategies	Incorporate new standards for parking lot cross access, internal pedestrian circulation requirements that mandate pedestrian connection to the adjacent public sidewalk system. Add street continuation and connectivity requirements. Discuss the degree to which the Town wants to control block lengths or require mid-block pedestrian connections within blocks exceeding 1,250 linear feet (where sidewalks are present).
Update the Town’s Traffic Impact Analysis (TIA) Requirements	Review and update the TIA requirements to be based on developments expected to generate over 1,000 vehicle trips per day or over 100 trips in the AM/PM peak hour. Add clarity that applicants shall be required to make recommended on-site and off-site transportation system improvements. Consider adding a separate third-party review (paid for by applicant) of TIA documents for town-maintained streets.
Continue to Consider Conditional Zoning as a New Zoning Tool	Add a series of generic conditional zoning districts and a comprehensive conditional rezoning procedure to the UDO that establishes a residential, non-residential, and mixed-use set of generic conditional districts along with limited use and concept plan options (for developments seeking to waive or modify standards as part of conditional rezoning requests).



GO MILLS RIVER PEDESTRIAN AND BICYCLE PLAN

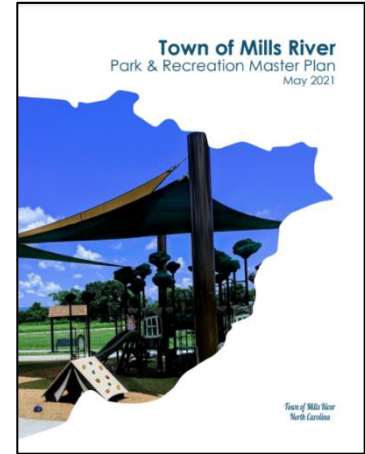
Recommendations	Potential Disposition in the UDO
Use the <i>Making Mills River</i> Future Land Use Visions Map as a Guide to Prioritize where Multi-Modal Facilities Should be Required and Developed	Discuss the range of desired multi-modal facilities, the funding mechanism, and areas where the Town’s current infrastructure must be upgraded to accommodate them.
Go All In for the <i>Go Mills River</i> Greenways	Discuss the degree to which the Town’s current policy guidance identifies precise greenway locations relative to property boundaries, the adequacy of greenway specifications, and the Town’s desire to mandate dedication (or reservation) of required lands and mandates for construction (versus collection of fees).
Develop a Fee-in-Lieu Program	Incorporate a comprehensive new fee-in-lieu procedure that addresses both public infrastructure aspects (like roads or sidewalks) as well as land dedication (like open space or parkland), as well as site features (like replacement trees or stormwater). Establish a two-tiered approach where the Town may mandate or an applicant may request fee-in-lieu. Add standards for determining the fee (assessed land value, linear distance, engineer’s estimate, etc.). Authorize the review authority to decide fee-in-lieu requests made at the time of application submittal and the Town Council to consider after-the-fact requests. Clarify timing of required payments, and provisions for how/where collected funds may be used.



TOWN OF MILLS RIVER PARK AND RECREATION MASTER PLAN MAY 2021

The *Town of Mills River Park and Recreation Master Plan* is an in-depth look at the recreational and park programming and facilities within the Town of Mills River. The plan inventoried existing park facilities, indicating both the quantities and qualities of each amenity. It details the survey results and other input gathered during community engagement. The Analysis section of the Plan incorporates the background study and inventory, as well as trends and recommendations from previous planning efforts and provides a level of service measurement and summary of the conditions in Mills River. Recommendations are provided for overall system improvements, programming, connectivity, signage, and specific facility upgrades.

The table below outlines the guidance in the *Parks and Recreation Master Plan* that is relevant to the UDO Update for Mills River.



PARK AND RECREATION MASTER PLAN

Recommendations	Potential Disposition in the UDO
Identification and completion of trail connections (Mills River Valley Trail from French Board to the Intersection of 191 and from 191 to Presbyterian Church Road)	Discuss the Town’s desire to require applicants to construction or simply provide funds for greenways. Clarify if the Town wishes to own greenway land in fee simple or if it is seeking access easements only. Clarify if applicants must dedicate land or simply reserves it for purchase by the Town. Clarify if greenways will also include public utilities (such as water and sewer). Clarify if bridges must be constructed to accommodate Town vehicles and equipment.
Obtain ROW encroachment approval, easement, and property to support trail and greenway development.	Discuss if the Town is seeking to purchase, require dedication, or require reservation of greenway land and if fee-in-lieu of dedication or reservation will be acceptable.
Preserving agricultural and rural character	Add farmland compatibility standards and additional provisions for rezoning of land abutting land used for bona fide farm purposes. Discuss what rural character means, and whether or not the Town will forego proposed development to protect it.
Provision of direct river access points	Prioritize access to water courses as part of public parkland dedication (if requiring) and as part of private common open space set-aside.
Provision of Shade Trees	Add shade tree requirements to parking lot landscaping standards and require canopy trees as part of all required landscaping provisions (except streetscape and street tree provisions when located underneath existing overhead utilities).
Athletic fields and active recreation	Discuss the Town’s desire to mandate parkland dedication (or fee-in-lieu) as well as the desire to mandate certain forms of development (like multi-family) be required to ensure a portion of required open space set-aside is configured for active recreation. Ensure there are new standards addressing ownership of these facilities (when private) and minimum maintenance standards. Explore incentives for the provision of these features as part of development when not already required.



PARK AND RECREATION MASTER PLAN

Recommendations	Potential Disposition in the UDO
Seating / benches	Clarify that benches and seating are allowable forms of active and gathering area features (but not necessarily considered passive open space features) and when active and gathering area forms of open space are required. Suggest these be permitted to be credited towards open space requirements, but stop short of outright requirements for these features (except perhaps along greenway segments).
Development Fees as a funding strategy	Discuss what is meant by “development fees.” Impact fees are not permissible in North Carolina. So-called “system-fees” like water tap fees, sewer tap fees, parkland fees have been upheld, but must be directly tied to the Town’s costs for extension of utility infrastructure to the maximum extent possible. In-lieu fees are allowable, but these are only permitted to be used for capital expenditures (not maintenance) and must be spent on “in-kind” facilities, and used in the “same vicinity” of where the fees were collected.
Utility Agreements / Inclusion of Greenways as required infrastructure	Suggest including a new section on greenways in the Pedestrian Facilities portion of the UDO. See questions above regarding greenway establishment. Utility agreements are policy matters and not included in the UDO.

END OF TABLE